



EFFECT OF LEGISLATION

FOR

1898, 1899 & 1900.

TABLE SHOWING
EFFECT OF LEGISLATION
OF THE YEAR 1898.

Repeals and Amendments of the General Acts.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
1	The Stage-carriages Act, 1861 (Act XVI of 1861).	Section 1, the proviso. ".....	..... Section 4.—For the first paragraph of this section the following is substituted :— "For every such license there shall be paid by the proprietor of the stage-carriage the sum of five rupees or such less sum as the Local Government may fix, and such license shall be in force for one year from the date thereof." After section 20 the following section is inserted namely :— "20A. (1) The Local Government may, by notification in the official Gazette, make rules to carry out the purposes and objects of this Act in the territories under its administration or any part of the said territories. (2) In particular and without prejudice to the generality of the foregoing power, such rules may— (a) prescribe forms for licenses under this Act, the sums payable for the same and the conditions on which they may be granted, and the cases in which they may be revoked ; (b) provide for the inspection of stage-carriages, and of the animals employed in drawing them ; and	Act I, 1898, s. 2. Ditto Act I, 1898, s. 4.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
			<p>“(c) regulate the number and length of the stages for which animals may be driven in stage-carriges, and the manner in which they shall be harnessed and yoked.</p> <p>(3) In making any rule under this section, the Local Government may direct that a breach thereof shall be punishable with fine which may extend to one hundred rupees.”</p> <p>After section 21 the following sections are inserted, namely :—</p> <p>“22. This Act, as amended by subsequent Extent of Act. Acts, extends to the whole of British India; but it shall not apply to carriages ordinarily plying for hire within the limits of any municipality or cantonment or other place in which any law for the regulation of carriages is for the time being in force.</p> <p>23. The Local Government may, by notification in the official Gazette, exempt any carriages or class of carriages from all or any of the provisions of this Act.”</p>	Act I, 1898, s. 5.
2	The Stage-carriges Act, 1861, Amendment Act, 1876 (Act XVI of 1876).	Section 2	.....	Act I, 1898, s. 2.
3	The Indian Paper Currency Act, 1882 (Act XX of 1882).	.....	<p>After section 13 the following section is inserted, namely :—</p> <p>“13A. The Governor General in Council may, from time to time, by an order issued in the Gazette of India, direct that currency-notes shall be issued at such offices of issue as are named in the order to an amount equal to the value of gold held by the Secretary of State for India at the rate, and subject to the conditions, fixed by that order:</p>	Act II, 1898, s. 2.

Repeals and Amendments of the General Acts, 1893—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
			Provided that—	
			<p>(1) the power conferred by this section shall not be exercised unless the Secretary of State for India shall consent to hold in gold coin or gold bullion what he shall determine to be equivalent in value to the notes so issued, as a reserve to secure the payment of such notes, until he shall transmit the same, or what he shall determine to be equivalent to the same, in gold coin or gold bullion to India, or until the Government of India shall appropriate and set apart in India, as a part of the currency reserve under section 19, an amount of coin of the Government of India equal in value to such notes;</p> <p>(2) gold coin or gold bullion so remitted shall be deemed to be received, within the meaning of section 19, when it is received in India by the Governor General in Council; and</p> <p>(3) gold coin or gold bullion so retained shall, until its arrival in India, be distinguished from other gold coin or gold bullion in the abstract account published under section 27."</p>	
4	The Indian Penal Code (Act XLV of 1860).	Section 4.	<p>Section 4.—The following is substituted for this section, namely:—</p> <p>“4. The provisions of this Code apply also to any offence committed by—</p> <p>(1) any Native Indian subject of Her Majesty in any place without and beyond British India;</p> <p>(2) any other British subject within the territories of any Native Prince or Chief in India;</p> <p>(3) any servant of the Queen, whether a British subject or not, within the territories of any Native Prince or Chief in India.</p>	Act IV, 1893. s. 2.

Repeals and Amendments of the General Acts, 1898—continued.

Serial No.	2 Enactments affected.	3 Repeals.	4 Amendments.	5 Repealing or Amending Act.
4	The Indian Penal Code (Act XLV of 1860)— <i>contd.</i>	Section 4— <i>contd.</i>	<p><i>Explanation.</i>—In this section the word 'offence' includes every act committed outside British India which, if committed in British India, would be punishable under this Code.</p> <p><i>Illustrations.</i></p> <p>(a) A, a coolie, who is a Native Indian subject, commits a murder in Uganda. He can be tried and convicted of murder in any place in British India in which he may be found.</p> <p>(b) B, a European British subject, commits a murder in Kashmir. He can be tried and convicted of murder in any place in British India in which he may be found.</p> <p>(c) C, a foreigner who is in the service of the Punjab Government, commits a murder in Jhind. He can be tried and convicted of murder at any place in British India in which he may be found.</p> <p>(d) D, a British subject living in Indore, instigates E to commit a murder in Bombay. D is guilty of abetting murder."</p> <p>Section 108.—The following is inserted after this section, namely :—</p> <p>"108A. A person abets an offence within the meaning of this Code who, in British India, abets the commission of any act without and beyond British India which would constitute an offence if committed in British India.</p> <p><i>Illustration.</i></p> <p>A, in British India, instigates B, a foreigner in Goa, to commit a murder in Goa. A is guilty of abetting murder."</p>	Act IV, 1898, s. 3.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
4	The Indian Penal Code (Act XLV of 1860)— <i>contd.</i>	Section 124A.	<p>Section 124A.—The following is substituted for this section, namely:—</p> <p>“124A. Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, Her Majesty or the Government established by law in British India, shall be punished with transportation for life or any shorter term, to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.</p> <p><i>Explanation 1.</i>—The expression ‘disaffection’ includes disloyalty and all feelings of enmity.</p> <p><i>Explanation 2.</i>—Comments expressing disapprobation of the measures of the Government with a view to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.</p> <p><i>Explanation 3.</i>—Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.”</p> <p>Section 153.—After this section the following is inserted, namely:—</p> <p>“153A. Whoever by words, either spoken or written, or by signs, between classes, or by visible representations, or otherwise, promotes or attempts to promote feelings of enmity or hatred between different classes of Her Majesty’s subjects shall be punished with imprisonment which may extend to two years, or with fine, or with both.</p>	Act IV, 1898, s. 4.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
			<p><i>Explanation.</i>—It does not amount to an offence within the meaning of this section to point out, without malicious intention and with an honest view to their removal, matters which are producing, or have a tendency to produce, feelings of enmity or hatred between different classes of Her Majesty's subjects."</p>	
4	The Indian Penal Code (Act XLV of 1860)— <i>concl'd.</i>	Section 505	<p>Section 505.—The following is substituted for this section, namely :—</p> <p>"505. Whoever makes, publishes or circulates any statement, rumour or report,—</p> <p>Statements condoning</p> <ul style="list-style-type: none"> (a) with intent to cause, or which is likely to cause, any officer, soldier or sailor in the army or navy of Her Majesty or in the Royal Indian Marine or in the Imperial Service Troops to mutiny or otherwise disregard or fail in his duty as such ; or (b) with intent to cause, or which is likely to cause, fear or alarm to the public, or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquillity ; or (c) with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community ; <p>shall be punished with imprisonment which may extend to two years, or with fine, or with both.</p> <p><i>Exception.</i>—It does not amount to an offence, within the meaning of this section, when the person making, publishing or circulating any such statement, rumour or report has reasonable grounds for believing that such statement, rumour or report is true and makes, publishes or circulates it without any such intent as aforesaid."</p>	Act IV, 1898, s. 6.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
5	High Courts Criminal Procedure, 1875 (X of 1875).	The whole Act .	.....	Act V, 1898, s. 2.
6	The Code of Criminal Procedure, 1882 (X of 1882).	Ditto .	.....	Ditto.
7	The Criminal Procedure Code Amendment Act, 1884 (III of 1884).	Ditto .	.....	Ditto.
8	Amending the Code of Criminal Procedure, 1882, and certain other Acts (Act X of 1886).	Sections 1 to 19 both inclusive.	.....	Ditto.
9	Amending the Code of Criminal Procedure, 1882 (V of 1887).	The whole Act .	.....	Ditto.
10	The Indian Marine Act, 1887 (XIV of 1887).	Section 78 .	.....	Ditto.
11	The Metal Tokens Act, 1889 (I of 1889).	Section 7 .	.....	Ditto.

Repeals and Amendments of the General Act's, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
12	Abolishing the office of Coroner of Madras (Act V of 1889).	Section 4, sub-section (1).	....	Act V, 1898, s. 2.
13	The Lower Burma Courts Act, 1889 (XI of 1889).	So much of the second schedule as relates to the Code of Criminal Procedure, 1882.	.....	Ditto.
14	The Cantonments Act, 1889 (XIII of 1889).	So much of the schedule as relates to the Code of Criminal Procedure.	.....	Ditto.
15	Amending the Indian Evidence Act, 1872, and the Code of Criminal Procedure, 1882 (III of 1891).	Section 9.	.....	Ditto.
16	Amending the Code of Criminal Procedure, 1882 (IV of 1891).	The whole Act.	.....	Ditto.
17	Amending the Indian Penal Code and the Code of Criminal Procedure, 1882 (X of 1891).	Sections 2 and 3.	.....	Ditto.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
18	The Repealing and Amending Act, 1891 (XII of 1891).	So much as relates to the Code of Criminal Procedure, 1882.	.....	Act V, 1898, s. 2.
19	Amending the Code of Criminal Procedure, 1882, and the Indian Penal Code (III of 1894).	Sections 1 to 4 both inclusive.	.....	Ditto.
20	Amending the Code of Criminal Procedure, 1882 (X of 1894).	The whole Act.	.....	Ditto.
21	Amending sections 366 and 371 of the Code of Criminal Procedure, 1882 (IV of 1895).	Ditto	.....	Ditto.
22	Amending the Code of Criminal Procedure, 1882 (XIII of 1898).	Ditto	.....	Ditto.
23	The Indian Post Office Act, 1866 (XIV of 1866).	Ditto	.....	Act VI, 1898, s. 76.
24	The Seditious Publication Act, 1882 (III of 1882).	So much as is unrepealed.	.....	Ditto.

Repeals and Amendments of the General Acts, 1898—continued.

1 Serial No.	2 Enactments affected.	3 Repeals.	4 Amendments.	5 Repealing or Amending Act.
25	The Indian Criminal Law Am- endment Act, 1895 (III of 1895).	Section 7 .	... . .	Act VI, 1895, s. 76.
26	The Indian Post Office Act, 1886, Amend- ment Act, 1896 (XVI of 1896).	The whole Act .	.....	Ditto.
27	The Indian Short Titles Act, 1897 (XIV of 1897).	So much as re- lates to Act (XVI of 1896).		Ditto.
28	The Petro- leum Act, 1886 (XII of 1886).	.....	<p>Section 3, clause (1).—The following is sub- stituted for this clause, namely—</p> <p>“(1) ‘petroleum’ includes also</p> <p>(a) the liquids commonly known by the names of rock oil, Rangoon oil, Burma oil, kerosine, paraffin oil, mineral oil, petroline, gasoline, benzol, benzoline and benzine ;</p> <p>(b) any inflammable liquid which is made from petroleum, coal, schist, shale, peat or any other bituminous sub- stance or from any product of petro- leum ; and</p> <p>(c) any liquid viscous mixture having in its composition any of the liquids aforesaid :</p> <p>But it does not include any oil ordinarily used for lubricating purposes and having its flashing point at or above two hundred degrees of Fahrenheit's thermometer ;”.</p>	Act VII, 1898, s. 2.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
28	The Petroleum Act, 1886 (XII of 1886)— <i>contd.</i>	.....	To section 4 the following sub-sections shall be added, namely :— “(3) The Governor General in Council may, by notification in the official Gazette, alter or add to the schedule to this Act by prescribing new or varied tests and directions for preparing and using them; and all references in this Act to the schedule, when altered or added to, shall be construed as referring to the schedule as so altered or added to for the time being. (4) The provisions of section 23 of the General Clauses Act, 1897 (X of 1897), shall apply to notifications under sub-section (3) as if they were rules or orders required to be made after previous publication.”	Act VII, 1898, s. 3.
29	The Indian Paper Currency Act, 1898 (II of 1898).	Section 1, sub-section (3).	Section 1.—For sub-section (3) the following is substituted, namely :— “(3) It shall remain in force for two years and six months from the commencement thereof.”	Act VIII, 1898, s. 2.
30	The Central Provinces Tenancy Act, 1883 (IX of 1883).	The whole	.....	Act XI, 1898, s. 100.
31	The Central Provinces Tenancy Act, 1889 (XVII of 1889).	Ditto	.....	Ditto.
32	The Repealing and Amending Act, 1891 (XII of 1891).	So much as relates to Acts IX of 1883 and XVII of 1889.	.....	Ditto.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5	
Serial No.	Enactments affected.	— Repeals.	Amendments.	Repealing or Amending Act.	
33	The Central Provinces Land-revenue Act, 1881 (XVIII of 1881).	Clause (6) of section 4.	<p>Section 4.—After this section the following is inserted, namely:—</p> <p>“4A. (1) Subject to the provisions of sub- Meaning of ‘sir-’ section (2), ‘sir-land’ land.’ (that is to say, the de- mesne or permanent home-farm land of a proprietor) includes the following, and no other, land, namely:—</p> <p>(a) land finally recorded under section 69 as ‘sir-land’ in the papers of the current settlement;</p> <p>(b) land declared, under section 132, clause (j), to be ‘sir-land’; and</p> <p>(c) land in the Sambalpúr district re- corded as ‘bhogra’ in the papers of the current settlement.</p> <p>(2) In any local area of which no settle- ment has been made for districts not set- since the commence- mented since 1889. ment of the Central Provinces Land-revenue Act, 1889, and until the settlement of such local area next following the commencement of the Central Provinces Land-revenue Act, 1898, ‘sir-land’ includes—</p> <p>(a) land defined as sir-land in the foregoing sub-section :</p> <p>Provided that any such land (other than bhogra) which, at the commence- ment of the Central Provinces Land- revenue Act, 1889, was unoccupied by such proprietor, and which had, after the date of the settlement last preceding the commencement of the said Act, been so unoccupied for a period of six consecutive years, shall not be deemed to be ‘sir-land’;</p> <p>(b) land which at the commencement of the Central Provinces Land-revenue Act, 1889, was occupied by and had been cultivated by the proprietors or one of the proprietors thereof for a period of not less than twelve conse- cutive years;</p>	—	Act XIII, 1898, s. 2.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
33	The Central Provinces Land-revenue Act, 1881 (XVIII of 1881)— <i>contd.</i>	Clause (6) of section 4— <i>contd.</i>	(c) land which had at the commencement of the Central Provinces Land-revenue Act, 1889, been broken up from waste by the proprietor or one of the proprietors thereof, and cultivated by him for a period of not less than six consecutive years: Provided that any such land which at the commencement of the Central Provinces Land-revenue Act, 1889, was unoccupied by the proprietor, and had been so unoccupied by him for six consecutive years, shall not be deemed to be 'sir-land.'	Act XIII, 1889, s. 2.

Explanation I.—For the purposes of sub-section (2), land shall be deemed to be occupied by the proprietor when it is leased out by him with an express reservation of his sir-rights, and land shall be deemed to be cultivated when it is allowed to lie fallow in accordance with the usual practice of cultivation.

Explanation II.—For the purposes of this section,—

- (a) the word 'proprietor' shall be deemed to include an assignee of proprietary rights, but not a *málik-mákbuzá*:
- (b) when by any local custom land is liable to exchange or redistribution among the cultivators thereof, land which is not 'sir-land,' and which is taken in exchange for 'sir-land,' becomes 'sir-land' and the 'sir-land' given in exchange for that land ceases to be 'sir-land':
- (c) subject to the proviso to sub-section (2), clause (a), land which has been recorded as 'sir-land' in the papers of any settlement made before the commencement of this Act shall be deemed to have been finally recorded as 'sir-land' under section 69."

Repeals and Amendments of the General Act, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
33	The Central Provinces Land-revenue Act, 1881 (XVIII of 1881)— <i>contd.</i>	Clause (6) of section 4— <i>contd.</i>	<p>Section 65A.—For this section the following is substituted, namely :—</p> <p>“ 65A. (1) The Settlement-officer may inquire into the claim of any person holding a village or part of a village as thikadár, gaontia or farmer, and may, notwithstanding any contract to the contrary and with the previous sanction of the Chief Commissioner, declare such thikadár, gaontia or farmer to be ‘protected’ for the purposes of this section :</p> <p>Provided that no thikadár, gaontia or farmer shall be declared to be protected under this section unless he or those from whom he has inherited has or have been in possession of the village or part of the village for a period of not less than twenty years, or unless it is proved to the satisfaction of the Settlement-officer that he or those from whom he has inherited has or have established the village or substantially improved it at his or their own cost :</p> <p>Provided also that, when a thikadár, farmer or gaontia is entitled to claim protection within the meaning of this section, the Settlement-officer may, in his discretion and with the previous sanction of the Chief Commissioner, instead of declaring him to be protected, confer on him the rights of an occupancy-tenant in respect of the whole or part of any land which he may be cultivating, whether as sif-land or otherwise, at the time of the inquiry, and shall determine the rent payable by him as occupancy-tenant of such land.</p> <p>(2) When a thikadár, farmer or gaontia is declared to be protected under this section, the Settlement-officer may, at the request of the proprietor of the village, determine the amount of the thiké-jama which shall be payable by such thikadár, gaontia or farmer to the proprietor of the village on and from the date on which the settlement of the village takes effect.</p>	Act XII, 1898, s. 3.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
33	The Central Provinces Land-revenue Act, 1881, (XVIII of 1881)— <i>contd.</i>	Clause (6) of section 4— <i>contd.</i>	<p>(3) Any person who, having held any village or part of a village as a thikádár, farmer or gaontia, was ejected by the proprietor from, or lost possession otherwise than by transfer or voluntary surrender of, such village, or part of a village, and who had at the date of such ejection or dispossession earned a claim to be protected, may at any time before the expiration of two years from the date of such ejection or dispossession apply to the Settlement-officer to reinstate him in the possession of the village or part of the village from which he was ejected; and the Settlement-officer may, with the previous sanction of the Chief Commissioner, replace him in the possession of such village or part of a village and declare him to be protected, or may confer upon him the rights of an occupancy-tenant in the whole or part of any land in the village which he was cultivating at the time of his ejection, and place him in possession of such land and determine the rent which shall be payable by him to the proprietor as such tenant.</p> <p><i>Explanation.</i>—Any such person as is described in this sub-section who, having been ejected subsequently to the first day of January, 1893, applied to a Revenue-officer for reinstatement within two years of his ejection, shall be deemed to have made the application required by this sub-section.</p> <p>(4) The incidents of the tenure of a thikádár (including a farmer or gaontia) who has been declared to be protected under this section shall be as follows:—</p> <p>(a) the tenure shall be heritable, but not transferable by sale, gift, mortgage or dower; it shall not be saleable in execution of any decree, nor shall any decree be passed for the sale thereof; and save in so far as any arrangements to the contrary are in force at the time of the declaration, it shall not be partitioned and shall devolve on one member only of the thikádár's family;</p>	Act XII, 1898, s. 3.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
33	The Central Provinces Land-revenue Act, 1881 (XVIII of 1881)— <i>contd.</i>	Clause (6) of section 4— <i>contd.</i>	<p>(b) when on the death of a thikádár there are two or more heirs bearing the same relationship to him, the eldest of such heirs shall succeed :</p> <p>Provided, first, that of such heirs an heir who was joint with the thikádár shall have preference over an heir who was separate : and</p> <p>Provided, secondly, that the eldest of two or more such heirs shall be at liberty at the time of succession to resign his right in favour of another heir bearing the same degree of relationship to the deceased thikádár as he himself bears :</p> <p>(c) a protected thikádár, whether holding under a written lease or a verbal agreement, shall be entitled to a renewal of his lease on its expiry, on his agreeing to farm his village at a fair and equitable thiká-jama ;</p> <p>(d) in the event of any dispute arising between the proprietor and the protected thikádár, as to what is a fair and equitable thiká-jama, the matter shall be referred to the Deputy Commissioner, whose decision shall, subject to revision by the Commissioner and Chief Commissioner, be final ;</p> <p>(e) not more than one enhancement of the thiká-jama or, where it is so specially provided in the terms of the settlement of the village, no enhancement of the thiká-jama shall be imposed on a protected thikádár during the currency of a settlement ;</p> <p>(f) all miscellaneous dues and cesses, unless specially authorized by the Chief Commissioner, shall be included in the thiká-jama payable under the lease ; and</p> <p>(g) a protected thikádár shall comply with the rules made under section 124A for the management of malguzari forests.</p>	Act XII, 1898, s. 3.

Repeals and Amendments of the General Acts, 1898.—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
33	The Central Provinces Land-revenue Act, 1881, (XVIII of 1881)— <i>contd.</i>	Clause (6) of section 4— <i>contd.</i>	<p>(5) In any proceedings before a Court for the ejection of a thikádár, gaontia or farmer, if it appears that the thikádár, gaontia or farmer has filed an application before a Revenue-officer to obtain a declaration that he is protected, or if he files such an application before the Court, the Court shall stay proceedings until the application has been disposed of in accordance with the provisions of this Act, and shall, if the application is filed before itself, forward such application to the Deputy Commissioner or Settlement-officer for disposal.</p> <p>(6) If any protected thikádár, gaontia or farmer is shown to have since the commencement of the Central Provinces Land-revenue Act, 1898, contravened, or to be contravening, the conditions of his tenure as contained in clause (a) or clause (g) of subsection (4), or to have grossly mismanaged the village held by him in lease, the Settlement-officer or Deputy Commissioner may, with the previous sanction of the Chief Commissioner, declare such thikádár, gaontia or farmer to have forfeited the protection previously conferred on him under this section, and such thikádár, farmer or gaontia shall from the date of such declaration cease to be protected.</p> <p>(7) Nothing in this section shall affect the liability of any protected thikádár, farmer or gaontia to ejection in execution of a decree for ejection passed, in accordance with any law for the time being in force and not inconsistent with this Act, on the ground—</p> <p>(a) that he has failed to pay the thiká-jama legally payable by him;</p> <p>(b) that he has diverted the culturable land of the village to non-agricultural purposes, or is chargeable with some act or omission which renders him liable to be ejected.”</p>	Act XII, 1898 & 4

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
83	The Central Provinces Land-revenue Act, 1881 (XVIII of 1881)— <i>contd.</i>	Clause (6), section 4— <i>contd.</i>	<p>Section 69.—For this section the following is substituted, namely,—</p> <p>“69. (1) The Settlement-officer shall ascertain and determine the extent of all the land which record of sir-land is held as sir-land as defined in section 4A, and which has not lost its character as sir-land under the provisions of section 45 of the Central Provinces Tenancy Act, 1898, and shall record the same as sir-land.</p> <p>(2) The Settlement-officer shall also record as sir-land—</p> <p>(a) land which is at the time of his inquiry cultivated by the proprietor or one of the proprietors thereof and has been continuously so cultivated for a period of not less than twelve consecutive years; and</p> <p>(b) land which is at the time of his inquiry cultivated by the proprietor, or one of the proprietors thereof, and, having been broken up from waste-land by such proprietor or one of such proprietors, has since been continuously cultivated by him for a period of not less than six years :</p> <p>Provided that no land shall be recorded as sir-land under this sub-section if the total area of sir-land within the mahal already exceeds, or will by such record be made to exceed, one-quarter of the total occupied area of the mahal :</p> <p>Provided, further, that the Settlement-officer may, with the previous sanction of the Commissioner, exempt any mahal or part thereof from this limitation in respect of land falling under clause (b) of this sub-section.</p> <p>(3) When a part of such land as is referred to in sub-section (2) is excluded from the record of sir-land under the proviso to that sub-section, the proprietor shall have the right to choose the particular fields which are to be excluded.</p>	Act XII, 1898, s. 4.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
33	The Central Provinces Land-revenue Act, 1881 (XVIII of 1881)— contd.	Clause (6), section 4— <i>contd.</i>	<p>(4) An order or entry of the Settlement-officer recording, or omitting or refusing to record, any land as sir-land under sub-section (1) shall be final unless and until it is reversed or modified by the decree of a Civil Court in a suit instituted under section 83 at any time after the record is attested by the Settlement-officer, or his order regarding the entry is passed, and within one year after the settlement comes into effect; and an order or entry recording, or omitting or refusing to record, any land as sir-land under sub-section (2) shall be final unless and until it is reversed or modified on appeal or revision in accordance with the provisions of sections 22 to 26.</p> <p>(5) The Settlement-officer shall, at the request of any proprietor, furnish him, free of cost, with a list of all the land which has been recorded as sir-land under this section and is situated within the mahal or patti owned wholly or partly by such proprietor.</p> <p>(6) All land not falling within the purview of section 4A, sub-section (1), shall be presumed, until the contrary is proved, not to be sir-land.</p> <p><i>Explanation.—</i>For the purposes of this section the word 'proprietor' shall be deemed to include an assignee of proprietary rights, but not a mālik-mākibzā.</p> <p>Section 78.—In this section, after the figures "69" the word and figure "sub-section (1)" are inserted.</p> <p>Section 91.—To this section the following Explanation is added, namely:—</p> <p><i>"Explanation.—</i>The term 'assignee' in this section includes a mortgagee in possession and a thikdār."</p> <p>Section 91.—After this section the following is inserted, namely:—</p> <p>"91A. Without the previous consent of the Deputy Commissioner or of such officer, not which forestall land-revenue.</p>	<p>Act XII, 1898, s. 4.</p> <p>Act XIII, 1898, s. 5.</p> <p>Act III, 1898, s. 6.</p> <p>Act XIII, 1898, s. 7.</p>

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
33	The Central Provinces Land-revenue Act, 1881 (XVIII of 1881)— <i>contd.</i>	Clause (6) of section 4— <i>contd.</i>	may appoint in this behalf, the rents and profits of a mahal or mālik-mākbuzā holding and the produce of a survey-number shall not be liable to be attached or taken in execution of a decree or order of any Court until the land-revenue chargeable against such rents, profits or produce, and any arrear due in respect of the mahal, holding or survey-number, have been paid."	Act XII, 1898, s. 7.
			Section 133.—For clause (1) of this section the following clauses are substituted, namely :— “(i) inquiring into the claims of thikādārs, gaontias or farmers, declaring them to be protected for the purposes of section 65A, and generally, carrying out the provisions of that section ; and (j) declaring, either on his own motion or on a reference made by a Court or Revenue-officer, land to be sīrland under the provisions of section 69, sub-section (2), clause (b), and the proviso thereto.”	Act XII, 1898, s. 8.
			After section 136V the following section is inserted, namely :— “136W. Notwithstanding anything contained in this Chapter, partition may be effected by distribution when an estate, in respect of the whole or part of which imperfect partition is sought, consists of two or more mahals, or shares in two or more mahals, the partition may be effected by the distribution of such mahals or shares between the co-sharers without imperfect partition of the mahals or shares, or partly by such distribution and partly by imperfect partition, as the Deputy Commissioner may, of his own motion, or on the application of the parties, deem fit. In making the partition referred to in this section, the Deputy Commissioner shall be guided by the provisions of this Chapter so far as they are compatible with the distribution as aforesaid.”	Act XII, 1898, s. 9.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
33	The Central Provinces Land-revenue Act, 1881 (XVIII of 1881)— <i>concl'd.</i>	Clause (6) of section 4— <i>concl'd.</i>	Section 147A.—In clause (a) of this section between the words "appointment" and "suspension" the word "punishment" is inserted. After section 157 the following section is inserted, namely :— " 157A. Rents, fees and royalties due to the Government for the recovery of miscellaneous revenue, or on account of the use or occupation of land or water (whether the property of the Government or not) or on account of any products thereof and all moneys falling due to the Government under any grant, lease or contract which provides that they shall be so recoverable, may be recovered under this Act in the same manner as an arrear of land-revenue."	Act XIII, 1898, s. 10.
			In sections 161A and 161B for the words "punishable with fine" the words "liable, on the order of a Deputy Commissioner, to a fine" are substituted.	Act XIII, 1898, s. 12.
		Sections 9, 5, 17, 19, 20 and 24.	.....	Act XIII, 1898, s. 13.
34	The Burma Fisheries Act, 1875 (VII of 1875).	.....	To section 2 add :— "fixed obstruction" includes a weir, lock, bank or dam, or any fixed engine which impedes navigation, interferes with the flow of water, or prevents fish from proceeding up or down stream : and "implement" includes any implement or engine for catching fish other than a fixed obstruction. In section 6, for the first thirty words substitute No fixed obstruction.	Act XIII, 1898, s. 16.
35	The Burma Land and Revenue Act, 1876 (II of 1876).		In section 55, in the second proviso, for Chief Commissioner, substitute Financial Commissioner.	

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
36	The Burma Embankment Act, 1877 (XIII of 1877).	.....	In section 7, clause (a), <i>after charge insert</i> or of which he is the owner.	Act VII, 1898, s. 16.
37	The Burma Coast-lights Act, 1879 (IX of 1879).	.....	In section 16, <i>for on or before the first day of October in each year, publish, substitute</i> publish annually.	
38	The Rangoon Port Commissioners Act, 1879 (XV of 1879).	.....	In section 1, <i>for the last sentence substitute</i> Nothing herein contained shall affect the powers conferred on the Local Government under the Indian Ports Act, 1859, section 36, sub-section (5).	
39	The Lower Burma District Cesses and Rural Police Act, 1880 (II of 1880).	.....	In section 1, <i>for the second proviso substitute</i> Provided also that nothing herein contained applies to any town to which the Burma Municipal Act, 1898, extends.	
			In section 9, <i>for the proviso substitute</i> :— Provided that the Local Government may at any time, for reasons to be recorded, transfer a sum of money from the accounts of any one district to the accounts of any other district.	
40	The Pegu and Sittang Canal Act, 1881 (II of 1881).	.....	In section 15, <i>for Deputy Commissioners of Rangoon and Shwegyin, substitute Deputy Commissioner of Pegu; and omit</i> in the said districts respectively.	
41	The Burma Forest Act, 1881 (XIX of 1881).	....	In section 3, <i>after Deputy Conservators, insert Extra Deputy Conservators, and for Sub-Assistant Conservators, substitute Extra Assistant Conservators.</i>	
			In the heading to Chapter IV, <i>for NATURAL PRODUCE substitute FOREST-PRODUCE.</i>	
			In section 37, <i>for pasturage or of the natural produce, substitute forest-produce, and in clauses (c), (g) and (h), for natural produce, wherever the words occur, substitute forest-produce.</i>	

lments of the General Acts, 1898—continued:

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
41	The Burma Forest Act, 1881 (XIX of 1881).	.....	In section 43, clauses (g) and (h), for stations, wherever the word occurs, substitute revenue-stations. In section 45, for station, wherever the word occurs, substitute revenue-station.	Act XIII, 1898, s. 16.
42	The Burma Steam-boilers and Prime-movers Act, 1882 (XVIII of 1882).	.....	In section 18, after clause (a) insert :— (aa) for delegating to Commissioners all or any of the powers conferred upon him by sections 3 and 9.	
43	The Rangoon Tramways Act, 1883 (XXII of 1883).	.....	In section 2, for the definition of "committee" substitute :— "committee" means the committee for the town of Rangoon continued or appointed under the Burma Municipal Act, 1898.	Act XIII, 1898, s. 16.
44	The Lurma Military Police Act, 1887 (XV of 1887).	.....	In section 1, sub-section (2), after and add applies to every member of the Burma military police-force, wherever he may be; and.	
45	The Lower Burma Village Act, 1889 (III of 1889).	.....	In section 6, sub-section (1), for the first eight words substitute :— The headman of a village shall be bound to perform the following public duties, namely :— In section 6, sub-section (2), for duties substitute public duties. In section 8, for duties substitute public duties.	Act XIII, 1898, s. 13.
46	The Arakan Hill District Laws Regulation, 1874 (IX of 1874).	.....	For section 5 substitute :— 5. Notwithstanding anything in the Indian Arms Act, 1878, or in Operation of Act any rule under that Act, no license to manufacture, or deal in, arms or ammunition shall be granted without the express sanction of the Local Government.	

Regulations made under the Government of India Act, 1870 (33 Vict., c. 3.)

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
<i>Regulations made under the Government of India Act, 1870 (33 Vict., c. 3)—contd.</i>				
46	The Arakan Hill District Laws Regulation, 1874 (IX of 1874)— <i>contd.</i>		In the first division (<i>Acts</i>) of the schedule, omit the entries in the fourth column relating to Act XXXVII of 1850 and to the division <i>add</i> :—	
		XIV of 1874.	Scheduled Districts	The whole Act, except section 10.
		XV of 1874	Laws Local Extent	The whole Act, except sections 4, 5, 6 and 7.
		V of 1875	Unattached Sepoys	The whole Act.
		VII of 1875	Burma Fisheries . . .	The whole Act.
		IX of 1875	Majority	The whole Act.
		I of 1887	Amending Act, XXXVII of 1850.	The whole Act.
47	The Upper Burma Municipal Regulation, 1887 (V of 1887).	.....	In section 21, after any rule made under insert section 6 or, and for that section substitute section 12.	
48	The Upper Burma Frontier Crossing and Disturbed Districts Regulation, 1887 (IX of 1887).	.....	In section 2, sub-section (2), for Chindwin, substitute Upper Chindwin, after Bhamo insert Myitkyina, and for Yamethin and Pyinmana substitute and Yamethin.	
49	The Upper Burma Ruby Regulation, 1887 (XII of 1887).	.....	In section 16, for Upper Burma Land Acquisition Regulation, IX of 1886, substitute Land Acquisition Act, 1894, and for that Regulation substitute that Act.	
50	The Upper Burma Village Regulation, 1887 (XIV of 1887).	.....	In section 5, for the first eight words substitute :— The headman of a village shall be bound to perform the following public duties, namely :—	
			In section 7, for duties substitute public duties.	

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
<i>Regulations made under the Government of India Act, 1870 (33 Vict., c. 3)—contd.</i>				
<i>After section 14 add :—</i>				
50	The Upper Burma Village Regulation, 1887 (XIV of 1887)— <i>contd.</i>	... ..	<p>14A. (1) Whoever holds a <i>pwd</i> in any village without a license promoting or taking part in, unlicensed Commissioner or by an <i>pwd</i>, officer appointed by the Deputy Commissioner in this behalf, or promotes the holding of, or takes part in, a <i>pwd</i> held without such license, shall be punished, on conviction by a Magistrate, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.</p> <p>(2) No fee shall be paid on the application for, or on the issue of, the license required by sub-section (1).</p>	
51	The Upper Burma Land and Revenue Regulation, 1889 (III of 1889).	... ..	In section 36, sub-section (1), for shall ascertain substitute may ascertain.	Act XIII, 1898, s. 16.
52	The Upper Burma Towns Regulation, 1891 (VI of 1891).	... ..	<p><i>After section 7 add :—</i></p> <p>7A. (1) Whoever holds a <i>pwd</i> in any town without a license promoting or taking part in, unlicensed Commissioner or by an officer appointed by the Deputy Commissioner in this behalf, or promotes the holding of, or takes part in, a <i>pwd</i> held without such license, shall be punished, on conviction by a Magistrate, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.</p> <p>(2) No fee shall be paid on the application for, or on the issue of, the license required by sub-section (1).</p>	

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.

Regulations made under the Government of India Act, 1870 (33 Vict., c. 8) —contd.

53	The Upper Burma Criminal Justice Regulation, 1892 (V of 1892).	.....	<p>In section 2, sub-section (1), for 1882 substitute 1898.</p> <p>In the second column of the table annexed to section 6 of the schedule, for To entertain cases without complaint, section 191, clause (c), substitute To take cognizance of any offence upon information received from any person other than a police-officer, or upon his own knowledge or suspicion, that such offence has been committed, section 190, sub-section (1), clause (c) for To entertain complaints, section 191, substitute To take cognizance of an offence upon receiving a complaint of facts which constitute such offence, section 190, sub-section (1), clause (a); and for To receive police-reports, section 191, clause (b), substitute To take cognizance of an offence upon a police-report of facts which constitute such offence, section 190, sub-section (1), clause (b).</p>	
<i>After section XIV of the Schedule add :—</i>				
<p>XIVA. Notwithstanding anything in section 526, a Court of Session may,—</p> <p>(1) if it is absolutely debarred by section 487 from trying any case committed to it, or by section 556 from hearing any appeal pending before it, direct that such case or appeal be transferred for trial or hearing to any other Criminal Court of equal jurisdiction;</p> <p>(2) exercise as regards all Criminal Courts subordinate to its authority all the powers with respect to the transfer of criminal cases and appeals conferred upon the High Court by section 526;</p>				

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
<i>Regulations made under the Government of India Act, 1870 (33 Vict., c. 3)—concl.</i>				
53	The Upper Burma Criminal Justice Regulation, 1892 (V of 1892)— <i>contd.</i>	.....	<p>Provided, first, that an application for the exercise of the power conferred by this section, if founded upon a report of the Judge or Magistrate before whom the case or appeal is pending, need not be supported by affidavit or affirmation:</p> <p>Provided, secondly, that the Court shall, before directing the transfer of a case or of an appeal under this section, issue a notice to the accused requiring him to show cause on a certain day, to be fixed in the notice, why the said case or appeal should not be transferred to some Court therein named or to such other Court of competent jurisdiction as might be determined:</p> <p>Provided, thirdly, that the High Court may, on the application of the accused or of the Public Prosecutor, reverse or vary any order made by a Court of Session under this section or substitute any other order in lieu thereof.</p> <p>In section XVI of the schedule, for 353, clause (c), substitute 554, sub-section (2), clause (c).</p>	
54	The Upper Burma Civil Courts Regulation, 1896 (I of 1896).	.....	<p>To section 12 add :—</p> <p>(4) The period of limitation for an appeal to the Divisional Court under clause (b) of sub-section (3) shall be sixty days, and in the computation of that period and in all other respects the limitation of the appeal shall be governed by the provisions of the Indian Limitation Act, 1877.</p> <p>To section 13 add :—</p> <p>The period of limitation for an appeal to the Court of the Judicial Commissioner under this section shall be ninety days, and in the computation of that period and in all other respects the limitation of the appeal shall be governed by the provisions of the Indian Limitation Act, 1877.</p>	

Repeals and Amendments of the General Acts, 1898—continued

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.

Part III.—Regulation of the Bengal Code.

55	The Bengal Foreign Immigrants Regulation, 1812 (XI of 1812).	.....	In section 2, for he substitute it.	

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Year and number.	Subject.	Short title.	Act enabling or amending.

Acts of the Governor General in Council.

56	1888	XVIII	To provide for the appointment of a Financial Commissioner for Burma and for the definition of his functions.	The Burma Financial Commissioner's Act, 1888.
57	1892	III	To amend the Rangoon Port Commissioners Act, 1879.	The Rangoon Port Commissioners Act (1879) Amendment Act, 1892.
58	1894	XI	To amend the Lower Burma Village Act, 1889.	The Lower Burma Village Act (1889) Amendment Act, 1894.
59	1895	XI	To remove certain doubts as to the validity of certain proceedings and acts of certain officers of the Pegu and Tenasserim Divisions in Lower Burma and to prevent their being raised in the future.	The Pegu and Tenasserim Validation Act, 1895.
60	1895	XVIII	To amend the Lower Burma Village Act, 1889, and the Lower Burma Towns Act, 1892.	The Lower Burma Villages and Towns Law Amendment Act, 1895.

Regulations made under the Government of India Act, 1870 (33 Vict., c. 3.)

61	1891	I	To amend the Upper Burma Civil Justice Regulation, 1886, the Upper Burma Stamps and Limitation Regulation, 1887, and the Upper Burma Village Regulation, 1887.	The Upper Burma Village Regulation (1887) Amendment Regulation, 1891.
62	1891	V	To amend the Upper Burma Ruby Regulation, 1887.	The Upper Burma Ruby Regulation (1887) Amendment Regulation, 1891.
63	1892	II	To amend the Arakan Hills Civil Justice Regulation, 1874.	The Arakan Hills Civil Justice Regulation (1874) Amendment Regulation, 1892.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Year and number.	Subject.	Short title.	Act enabling citation.

Regulations made under the Government of India Act, 1870 (33 Vict., c. 5)—contd.

64	1894	III	To amend the Upper Burma Land and Revenue Regulation, 1889.	The Upper Burma Land-and Revenue Regulation (1889) Amendment Regulation, 1894.
65	1894	IV	To amend the Upper Burma Village Regulation, 1887.	The Upper Burma Village Regulation (1887) Amendment Regulation, 1894.
66	1895	II	To amend the Upper Burma Land and Revenue Regulation, 1889.	The Upper Burma Land and Revenue Regulation (1889) Amendment Regulation, 1895.
67	1896	IV	To amend the Upper Burma Village Regulation, 1887, the Upper Burma Land and Revenue Regulation, 1889, and the Upper Burma Towns Regulation, 1891.	The Upper Burma Villages, Towns and Land-revenue Law Amendment Regulation, 1896.
68	1897	I	To amend the Upper Burma Ruby Regulation, 1887.	The Upper Burma Ruby Regulation (1887) Amendment Regulation, 1897.

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
69	The Legal Practitioners Act, 1846 (I of 1846).	The whole Act, in so far as it applies to Burma.	...	Act XIII, 1878, s. 18.
70	The Legal Practitioners Act, 1853 (XX of 1853).	Ditto.		
71	Making better provision for the education of male minors subject to the superintendence of the Court of Wards (XXVI of 1854).	Ditto.		
72	The Burma Fisheries Act, 1875 (VII of 1875).	In section 2, the word and where it occurs after the word eggs.	In section 7, the words or fixed engine and the words or engine wherever they occur.	
			In section 8, clause (e), the words and engi- nes.	
73	The Burma Land and Revenue Act, 1876 (II of 1876).	In section 40, clause (a), the words prepare or, the words preparing or and the words catch, beeswax, honey, lac, cardamoms and other forest-produce or Section 61.		

Repeals and Amendments of the General Acts, 1895—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendment.	Repealing or Amending Act.
74	The Rangoon Port Commissioners Act, 1873 (XV of 1879).	Section 43. In section 56, the proviso. In section 67, the word <i>new</i> in each of the places in which it occurs.		
75	The Indian Paper Currency Act, 1882 (XX of 1882).	In section 5, clause (c), section 7, clause (b), and section 17, the word <i>British wherever it occurs.</i>		
76	The Burma Municipal Act, 1884 (XVII of 1884).	The whole Act.		
77	The Upper Burma Laws Act, 1886 (XX of 1886).	Ditto.		
78	The Burma Military Police Act, 1887 (XV of 1887).	In section 1, sub-section (2), the words (inclusive of Upper Burma), except the Shan States.		
79	The Shan States Act, 1888 (XV of 1888).	The whole Act.		

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
80	The Burma Financial Commissioner's Act, 1888 (XVIII of 1888).	In section 1, sub-section (1), <i>the words</i> (inclusive of Upper Burma), except the Shan States. So much of section 7 and of the schedule as relates to Act XX of 1886.		
81	Amending the Burma Municipal Act, 1884 (XIX of 1884).	The whole Act.		
82	The Probate and Administration Act, 1889 (VI of 1889).	In section 1, sub-section (2), <i>the words</i> (inclusive of Upper Burma), except the Shan States.	.....	Act XIII, 1898, s. 18.
83	The Succession Certificate Act, 1889 (VII of 1889).	In section 1, sub-section (3), <i>the words</i> (inclusive of Upper Burma), except the Shan States.		
84	The Lower Burma Courts Act, 1889 (XI of 1889).	So much of section 2 and of the first schedule as relates to Act XX of 1886. Section 4. So much of section 97 and of the second schedule as relates to Regulation IX of 1874. Sections 99, 100, 101, 102 and the third schedule.		

Repeals and Amendments of the General Acts, 1898—continued

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
85	The Cantonments Act, 1889 (XIII of 1889).	In section 1, sub-section (2), <i>the words</i> inclusive of Upper Burma. So much of section 2 and of the schedule as relates to Act XX of 1886.		
86	The Revenue Recovery Act, 1890 (I of 1890).	In section 1, sub-section (2), <i>the words</i> Upper Burma and.		
87	The Charitable Endowments Act, 1890 (VI of 1890).	In section 1, sub-section (2), <i>the words</i> Upper Burma and.		
88	The Guardian and Wards Act, 1890 (VIII of 1890).	In section 1, sub-section (2), <i>the words</i> Upper Burma and.		
89	The Indian Railways Act, 1890 (IX of 1890).	In section 1, sub-section (2), <i>the words</i> of Upper Burma and.		
90	The Repealing and Amending Act, 1891 (XII of 1891).	So much of section 2 and of the first schedule as relates to Act XX of 1886. So much of the first schedule as relates to Acts XVII of 1884 and XIX of 1888, and so much of the second schedule as relates to Acts XIX of 1881 and XVII of 1884.		

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act, &c.
91	The Upper Burma Laws Act Amendment Act, 1891 (XIX of 1891).	The whole Act.		
92	Amending the Lower Burma Municipal Act, 1884 (XXI of 1891).	Ditto.		
93	The Government Management of Private Estates Act, 1892 (X of 1892).	In section 1, sub-section (2), the words Upper Burma and.		
94	The Prisons Act, 1894 (IX of 1894).	In section 1, sub-section (2), the words Upper Burma.		Act XIII, 1898, s. 18.
		So much of section 2 and of the schedule as relates to Act XX of 1886.		
95	Amending the Burma Municipal Act, 1884 (XIV of 1894).	The whole Act.		
96	The Burma Boundaries Act Amendment Act, 1895 (II of 1895).	In section 1, sub-section (2), the words except the Shan States.		

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments	Repealing or Amending Act.
97	Amending the Upper Burma Laws Act, 1886, and the Shan States Act, 1888 (XXI of 1895).	The whole Act.		
98	The Excise Act, 1896 (XII of 1896).	In section 1, sub-section (2), <i>the words</i> (inclusive of Upper Burma).		
99	The Epidemic Diseases Act, 1897 (III of 1897).	In section 1, sub-section (2), <i>the words</i> Upper Burma.		
100	The Provident Funds Act, 1897 (IX of 1897).	In section 1, sub-section (2), <i>the words</i> Upper Burma and.		
101	The Lepers Act, 1898 (III of 1898).	In section 1, sub-section (2), <i>the words</i> Upper Burma.		
102	The Indian Post Office Act, 1898 (VI of 1898).	In section 1, sub-section (2), <i>the words</i> Upper Burma.		

Repeals and Amendments of the General Acts, 1898—continued

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.

Regulations made under the Government of India Act, 1870 (33 Vict., c. 3).

103	The Arakan Hill District Laws Regulation, 1874 (IX of 1874).	So much of the first division (<i>Acts</i>) of the schedule as relates to the Female Infanticide Prevention Act, 1870, and so much of the second division (<i>Bengal Regulations</i>) of the same as relates to the Bengal State Offences Regulation, 1804, and the Bengal Foreign Immigrants Regulation, 1812.		
104	The Upper Burma Municipal Regulation, 1887 (V of 1887).	In section 3, sub-section (1), <i>the words</i> except the Shan States.		
105	The Upper Burma Forest Regulation, 1887 (VI of 1887).	In section 1, sub-section (2), <i>the words</i> except the Shan States.		
106	The Upper Burma Frontier Crossing and Disturbed Districts Regulation, 1887 (IX of 1887).	In section 1, sub-section (2), <i>the words</i> except the Shan States.		

Repeals and Amendments of the General Acts, 1898—continued.

1 Serial No.	2 Enactments affected.	3 Repeals,	4 Amendments.	5 Repealing or amending Act.
<i>Regulations made under the Government of India Act, 1870 (33 Vict., c. 8) —contd.</i>				
107	The Upper Burma Stamps and Limitation Regulation, 1887 (X of 1887).	In the preamble, <i>the words</i> And whereas it is expedient to limit the amount of interest to be decreed in suits instituted while the law of limitation for the institution of suits is inoperative. In section 1, sub-section (2), <i>the words</i> except the Shan States.	.....	Act XIII, 1898, s. 18.
108	The Upper Burma Ruby Regulation, 1887 (XII of 1887).	In section 1, sub-section (2), <i>the words</i> except the Shan States.		
109	The Upper Burma Village Regulation, 1887 (XIV of 1887).	In section 1, sub-section (2), <i>the words</i> except the Shan States.		
110	The Upper Burma Land and Revenue Regulation, 1889 (III of 1889).	In section 1, sub-section (2), <i>the words</i> except the Shan States.		
111	The Upper Burma Towns Regulation, 1891 (VI of 1891).	In section 1, sub-section (2), <i>the words</i> except the Shan States.		

Repeals and Amendments of the General Acts, 1898—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.*	Amendments.	Repealing or Amending Act.
<i>Regulations made under the Government of India Act, 1870 (33 Vict., c. 3)—concl'd.</i>				
112	The Upper Burma Criminal Justice Regulation, 1892 (V of 1892).	In section 2, sub-section (1), the words except the Shan States.		
		In section 1 of the schedule, the words Local Government with the previous sanction of.		
113	Amending the Upper Burma Criminal Justice Regulation, 1892 (V of 1895).	The whole Regulation.		
114	The Upper Burma Civil Courts Regulation, 1896 (I of 1896).	In section 1, sub-section (2), the words except the Shan States. Section 4.		
115	Amending the Upper Burma Civil Courts Regulation, 1896 (VI of 1896).	The whole Regulation.		
116	Repealing the Upper Burma Land Acquisition Regulation, 1896 (VII of 1896).	The whole Regulation.		
<i>Part III.—Regulation of the Bengal Code.</i>				
117	The Bengal Wills and Intestacy, Regulation, 1799 (V of 1799).	The whole Regulation, in so far as it applies to Burma.		

Repeals and Amendments of the General Acts, 1898—continued.

IN UPPER BURMA.

(Not including the Shan States.)

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments, modification.	Repealing or amending Act.
118	The Indian Tolls Act, 1851 (VIII of 1851).		Section 4.—In this section for the last 14 words the following are substituted, namely, "or of any person or property exempted by order of the Local Government from payment of Tolls."	Act XIII of 1898, section 4, subsection (3), clause (a).
119	The Indian Evidence Act, 1872 (I of 1872).		Section 25.—After the words "police officer" the words "who is not a Magistrate" are inserted.	Clause (c).

Act modified.

Modifying Act.

ADDITION TO THE WHIPPING ACT, 1864 (VI OF 1864).

"6. (1) Notwithstanding anything in the foregoing sections of this Act, a person convicted of an offence specified in the List of Offences annexed hereto or of any offence which the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the Burma Gazette, add to that List, shall be punishable with whipping, either in lieu of, or in addition to, any other punishment to which he may be liable.

"(2) The Local Government may, by notification in the Burma Gazette, suspend the operation of this section, in whole or in part, in any district or part of a district, and, with the previous sanction of the Governor General in Council, by a like notification, remove the suspension of its operation.

"(3) This section shall be read subject to the provisions of section 393 of the Code of Criminal Procedure, 1898."

Act XIII of 1898, section 4 (3), (b).

Repeals and Amendments of the General Acts, 1898--concluded.
 "THE LIST OF OFFENCES.

Section of Indian Penal Code.	Offence.	
148	Rioting armed with deadly weapon.	
302	Murder.	
304	Culpable homicide not amounting to murder.	
307	Attempt to murder.	
325	Voluntarily causing grievous hurt.	
326	Voluntarily causing grievous hurt by dangerous weapons or means.	
327	Voluntarily causing hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.	
329	Voluntarily causing grievous hurt to extort property or a valuable security, or to constrain to do anything which is illegal, or which may facilitate the commission of an offence.	
333	Voluntarily causing grievous hurt to deter a public servant from his duty.	
382	Theft, preparation having been made for causing death, or hurt, or restraint, or fear of death, or of hurt, or of restraint, in order to the committing of such theft or to retiring after committing it, or to retaining property taken by it.	
386	Extortion by putting a person in fear of death or grievous hurt.	
387	Putting or attempting to put a person in fear of death or grievous hurt in order to commit extortion.	
392	Robbery.	
393	Attempt to commit robbery.	
394	Person voluntarily causing hurt in committing or attempting to commit robbery, or any other person jointly concerned in such robbery.	
395	Dacoity.	
398	Murder in dacoity.	
397	Robbery or dacoity, with attempt to cause death or grievous hurt.	
398	Attempt to commit robbery or dacoity when armed with deadly weapon.	
399	Making preparation to commit dacoity.	
400	Belonging to a gang of persons associated for the purpose of habitually committing dacoity.	
401	Belonging to a wandering gang of persons associated for the purpose of habitually committing thefts.	
402	Being one of five or more persons assembled for the purpose of committing dacoity.	
412	Dishonestly receiving stolen property, knowing that it was obtained by dacoity.	
435	Mischief by fire or explosive substance with intent to cause damage to amount of one hundred rupees or upwards, or, in case of agricultural produce, ten rupees or upwards.	
436	Mischief by fire or explosive substance with intent to destroy a house, etc.	
440	Mischief committed after preparation made for causing death or hurt, etc.	
455	Lurking house-trespass or house-breaking, after preparation made for causing hurt, assault, etc.	
458	Lurking house-trespass or house-breaking by night, after preparation made for causing hurt, etc.	
459	Grievous hurt caused whilst committing lurking house-trespass or house-breaking.	
460	Death or grievous hurt caused by one of several persons jointly concerned in house-breaking by night, etc.	
506	Criminal intimidation, if threat be to cause death or grievous hurt, etc.	
	Abetment of any of the foregoing offences.	
	Attempt to commit any of those offences which are not themselves expressed to be attempts to commit offences."	

Repeals and Amendments of the General Acts, 1899.

1	2	3	4	5																																														
Serial No.	Enactments affected.	Repeals.	Amendment.	Repealing or Amending Act.																																														
1	The Indian Marine Act, 1887 (XIV of 1887).	<p>In section 2, sub-section (1), clause (a), for the words "the Indian Marine Service" the words "the Royal Indian Marine Service" are substituted.</p> <p>Section 2, sub-section (1), for clauses (b), (c) and (d) the following clauses are substituted, namely:—</p> <p>"(b) 'gazetted officer' means a person who, by virtue of his letter of appointment, is holding a position in the Indian Marine Service as—</p> <table> <tr> <td>Commander,</td> <td>Chief Engineer,</td> </tr> <tr> <td>Lieutenant,</td> <td>Engineer, or</td> </tr> <tr> <td>Sub-Lieutenant,</td> <td>Assistant Engineer :</td> </tr> </table> <p>(c) 'warrant-officer' means a person who, by virtue of his appointment, is holding a position in the Indian Marine Service as—</p> <table> <tr> <td>Assistant Surgeon,</td> <td>Carpenter,</td> </tr> <tr> <td>Gunner,</td> <td>Clerk, or</td> </tr> <tr> <td>Engine-driver, first class :</td> <td></td> </tr> </table> <p>(d) 'petty officer' means a person who is employed in the Indian Marine Service as—</p> <table> <tr> <td>General Mess Steward,</td> <td>Carpenter's Mate, first class,</td> </tr> <tr> <td>Chief Syrang of Lascars, first class,</td> <td>Carpenter's Mate, second class,</td> </tr> <tr> <td>Chief Syrang of Lascars, second class,</td> <td>Carpenter's Crew, first class,</td> </tr> <tr> <td>Syrang of Lascars, first class,</td> <td>Carpenter's Crew, second class,</td> </tr> <tr> <td>Syrang of Lascars, second class,</td> <td>Plumber,</td> </tr> <tr> <td>Sukkani,</td> <td>General Mess Butler, first class,</td> </tr> <tr> <td>Tindal of Lascars, first class,</td> <td>General Mess Butler, second class,</td> </tr> <tr> <td>Tindal of Lascars, second class,</td> <td>Cook, first class,</td> </tr> <tr> <td>Engine driver, second class,</td> <td>Cook, second class,</td> </tr> <tr> <td>Syrang of Stokers, first class,</td> <td>Ship's Steward,</td> </tr> <tr> <td>Syrang of Stokers, second class,</td> <td>Tide-watcher,</td> </tr> <tr> <td>Tindal of Stokers, first class,</td> <td>Kassab, first class,</td> </tr> <tr> <td>Tindal of Stokers, second class,</td> <td>Kassab, second class,</td> </tr> <tr> <td></td> <td>Pilot,</td> </tr> <tr> <td></td> <td>Chart-room Attendant,</td> </tr> <tr> <td></td> <td>Leadsman, or</td> </tr> <tr> <td></td> <td>Interpreter :"</td> </tr> </table>	Commander,	Chief Engineer,	Lieutenant,	Engineer, or	Sub-Lieutenant,	Assistant Engineer :	Assistant Surgeon,	Carpenter,	Gunner,	Clerk, or	Engine-driver, first class :		General Mess Steward,	Carpenter's Mate, first class,	Chief Syrang of Lascars, first class,	Carpenter's Mate, second class,	Chief Syrang of Lascars, second class,	Carpenter's Crew, first class,	Syrang of Lascars, first class,	Carpenter's Crew, second class,	Syrang of Lascars, second class,	Plumber,	Sukkani,	General Mess Butler, first class,	Tindal of Lascars, first class,	General Mess Butler, second class,	Tindal of Lascars, second class,	Cook, first class,	Engine driver, second class,	Cook, second class,	Syrang of Stokers, first class,	Ship's Steward,	Syrang of Stokers, second class,	Tide-watcher,	Tindal of Stokers, first class,	Kassab, first class,	Tindal of Stokers, second class,	Kassab, second class,		Pilot,		Chart-room Attendant,		Leadsman, or		Interpreter :"	<p>Act I of 1899, section 2.</p> <p>Act I of 1899, section 3.</p>
Commander,	Chief Engineer,																																																	
Lieutenant,	Engineer, or																																																	
Sub-Lieutenant,	Assistant Engineer :																																																	
Assistant Surgeon,	Carpenter,																																																	
Gunner,	Clerk, or																																																	
Engine-driver, first class :																																																		
General Mess Steward,	Carpenter's Mate, first class,																																																	
Chief Syrang of Lascars, first class,	Carpenter's Mate, second class,																																																	
Chief Syrang of Lascars, second class,	Carpenter's Crew, first class,																																																	
Syrang of Lascars, first class,	Carpenter's Crew, second class,																																																	
Syrang of Lascars, second class,	Plumber,																																																	
Sukkani,	General Mess Butler, first class,																																																	
Tindal of Lascars, first class,	General Mess Butler, second class,																																																	
Tindal of Lascars, second class,	Cook, first class,																																																	
Engine driver, second class,	Cook, second class,																																																	
Syrang of Stokers, first class,	Ship's Steward,																																																	
Syrang of Stokers, second class,	Tide-watcher,																																																	
Tindal of Stokers, first class,	Kassab, first class,																																																	
Tindal of Stokers, second class,	Kassab, second class,																																																	
	Pilot,																																																	
	Chart-room Attendant,																																																	
	Leadsman, or																																																	
	Interpreter :"																																																	

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
1	The Indian Marine Act, 1887 (XIV of 1887)— <i>contd.</i>	...	<p>Section 53.—For sub-sections (1), (2), and (3) the following sub-sections are substituted, namely :—</p> <p>“(1) An Indian Marine Court shall consist of a president and not less than two, or more than four, other members, such members to be of rank not inferior to that of Lieutenant.</p> <p>(2) The president of an Indian Marine Court for the trial of a Commander shall be of rank not below that of Commander, and two at least of the other officers composing the Court shall be of rank not below that of Commander.</p> <p>(3) Except in the case of an Indian Marine Court convened under section 52, sub-section (2), the president of an Indian Marine Court for the trial of any person below the grade of Commander shall be of rank not below that of Commander.”</p> <p>Section 53.—To this section the following sub-sections are added, namely :—</p> <p>“(10) The seniority and precedence of officers serving on the same Indian Marine Court shall be governed by their seniority as shown in the latest Indian Marine List. The fact of any officer bearing a superior title by virtue of an appointment which he may for the time being be holding, shall not give him seniority or precedence over any officer serving with him on the Indian Marine Court who may be senior to him on the Indian Marine List.</p> <p>“(11) The authority convening an Indian Marine Court shall, when practicable, appoint a Judge Advocate to every trial, who shall be, if possible, an officer of the Judge Advocate General’s Department.</p> <p>“(12) The authority convening an Indian Marine Court shall also appoint a person as Provost-Marshal, who shall be responsible for the arrest and safe custody of the prisoner or prisoners as directed, until the decision of the confirming authority is made known and communicated to him by the convening authority.”</p>	<p>Act I of 1899, section 4.</p> <p>Act I of 1899, section 4 (2).</p>

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
1	The Indian Marine Act, 1887 (XIV of 1887)— contd.	....	After section 70 the following is inserted, namely:— “ <i>Supplemental.</i> “70A. When an Indian Marine vessel is wrecked, lost, destroyed or captured or capture of Indian by the enemy, it shall, for the purposes of this Act, be deemed to remain an Indian Marine vessel until her crew are regularly removed into some other Indian Marine vessel or until a Court of Inquiry has been held into the cause of the wreck, loss, destruction or capture thereof.”	Act I of 1899, section 5.
2	The Indian Stamp Act, 1879 (I of 1879).	The whole	.....	Act II of 1899, section 79 and Schedule II.
3	The Indian Companies Act, 1882 (VI of 1882).	Section 35	.....	Ditto.
4	The Legal Practitioners Act, 1884 (IX of 1884).	Section 10	....	Ditto.
5	The Indian Stamp Act (1879) Amendment Act, 1888 (I of 1888).	The whole	.....	Ditto.
6	The Inventions and Designs Act, 1888 (V of 1888).	So much of the first schedule as relates to the Indian Stamp Act, 1879 (I of 1879).	....	Ditto.

Repeals and Amendments of the General Acts, 1899—continued.

1 Serial No.	2 Enactments affected.	3 Repeals.	4 Amendments.	5 Repealing or Amending Act.
7	The Burma Financial Commissioner's Act, 1888 (XVIII of 1888).	So much of the schedule as relates to the Indian Stamp Act, 1879 (I of 1879).	.....	Act II of 1899, section 79 and Schedule II.
8	The Probate and Administration Act, 1889 (VI of 1889).	Sub-sections (3) and (4) of section 18.	.....	Ditto.
9	The North-Western Provinces and Oudh Act, 1890 (XX of 1890).	So much of section 38 as relates to the Indian Stamp Act, 1879 (I of 1879).	.....	Ditto.
10	The Repealing and Amending Act, 1891 (XII of 1891).	So much of Part I of the first and second schedules as relates to the Indian Stamp Act, 1879 (I of 1879).	.....	Ditto.
11	The Indian Stamp Act (1879) Amendment Act, 1894 (VI of 1894).	The whole	.....	Ditto.
12	The Indian Stamp Act (1879) Amendment Act, 1897 (XIII of 1897).	Ditto	...	Ditto.

* *Repeals and Amendments of the General Acts, 1899—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
13	The Presidency Small Cause Courts Act, 1882 (XV of 1882).	.....	<p>Section 4.—The words "and the expression 'Registrar' includes a Deputy Registrar" are added.</p> <p>Section 8A.—For this section, as amended by the Presidency Small Cause Courts Act, 1895, the following section is substituted, namely:—</p> <p>"8A. (1) During any absence of the Chief Performance of Judge or any Judge duties of absent Judge. of the said Court, or during the period for which any Judge is acting as Chief Judge, the Local Government may appoint any person, having the qualifications required by section 7, to act as Chief Judge or Judge of the said Court, as the case may be.</p> <p>"(2) Every person so appointed shall be authorized to perform the duties of the Chief Judge or a Judge of the said Court until the return of the absent Chief Judge or Judge, or of the Judge acting as Chief Judge, or until the Local Government sees cause to cancel the appointment of such acting Chief Judge or Judge, as the case may be."</p> <p>Section 9, sub-section (1).—To this section, as amended by the Presidency Small Cause Courts Act, 1895, the following clause is added, namely:—</p> <p>"(aa) empower the Registrar to hear and dispose of undefended suits and interlocutory applications or matters, and".</p> <p>Section 13.—In this section between the word "appoint" and the words "as many clerks" the words "a Deputy Registrar and" are inserted.</p>	<p>Act III of 1899, section 2.</p> <p>Act III of 1899, section 3.</p> <p>Act III of 1899, section 4.</p> <p>Act III of 1899, section 5.</p>
14	The Indian Evidence Act, 1872 (I of 1872).		<p>Section 37.—To this section the following is added, namely:—</p> <p>"This section applies also to any Act of the Lieutenant-Governor in Council of the North-Western Provinces and Oudh, the Punjab, or Burma."</p>	Act V of 1899, section 2.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
14	The Indian Evidence Act, 1872 (I of 1872) — <i>contd.</i>	.....	<p>Section 45.—In this section, as amended by section 4 of the Indian Evidence Act Amendment Act, after the word "hand-writing", in each of the two places in which it occurs, the words "or finger-impressions" shall be inserted.</p> <p>Section 78.—To this section the following is added, namely :—</p> <p>" This section applies also, with any necessary modifications, to finger-impressions."</p> <p>Section 86.—For the second paragraph of this section, as amended by section 8 of the Indian Evidence Act (1872) Amendment Act, 1891, the following is substituted, namely :—</p> <p>" An officer who, with respect to any territory or place not forming part of Her Majesty's dominions, is a Political Agent therefor, as defined in section 3, clause (40), of the General Clauses Act, 1897, shall, for the purposes of this section, be deemed to be a representative of the Government of India in and for the country comprising that territory or place."</p>	Act V of 1899, section 3 (1).
15	The Indian Evidence Act (1872) Amendment Act, 1891 (III of 1891).	In section 8, the words and figures from "and to the same" to the end of the section.	.....	Act V of 1899, section 5.
16	The Indian Contract Act, 1872 (IX of 1872).	Section 16	<p>For section 16 the following is substituted, namely :—</p> <p>" 16. (1) A contract is said to be induced by " undue influence " where "Undue Influence" defined, the relations subsisting between the parties are such that one of the parties is in a position to dominate the will of the other and uses that position to obtain an unfair advantage over the other.</p>	Act VI of 1899, section 2.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
16	The Indian Contract Act, 1872 (IX of 1872)— contd.	Section 16— <i>contd.</i>	<p>(2) In particular and without prejudice to the generality of the foregoing principle, a person is deemed to be in a position to dominate the will of another—</p> <p>(a) where he holds a real or apparent authority over the other, or where he stands in a fiduciary relation to the other; or</p> <p>(b) where he makes a contract with a person whose mental capacity is temporarily or permanently affected by reason of age, illness, or mental or bodily distress.</p> <p>(3) Where a person who is in a position to dominate the will of another, enters into a contract with him, and the transaction appears, on the face of it or on the evidence adduced, to be unconscionable, the burden of proving that such contract was not induced by undue influence shall lie upon the person in a position to dominate the will of the other.</p> <p>Nothing in this sub-section shall affect the provisions of section 111 of the Indian Evidence Act, 1872.</p>	Act VI of 1899, section 2.

Illustrations.

- (a) A having advanced money to his son, B, during his minority, upon B's coming of age obtains, by misuse of parental influence, a bond from B for a greater amount than the sum due in respect of the advance. A employs undue influence.
- (b) A, a man enfeebled by disease or age, is induced, by B's influence over him as his medical attendant, to agree to pay B an unreasonable sum for his professional services. B employs undue influence.
- (c) A, being in debt to B, the money-lender of his village, contracts a fresh loan on terms which appear to be unconscionable. It lies on B to prove that the contract was not induced by undue influence.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
16	The Indian Contract Act, 1872 (IX of 1872)— <i>contd.</i>	.....	<p>(d) A applies to a banker for a loan at a time when there is stringency in the money market. The banker declines to make the loan except at an unusually high rate of interest. A accepts the loan on these terms. This is a transaction in the ordinary course of business, and the contract is not induced by undue influence."</p> <p>In section 19, the words "undue influence".</p> <p>After section 19, the following is inserted, namely:—</p> <p>19A. When consent to an agreement is caused by undue influence, the agreement is a contract voidable at the option of the party whose consent was caused.</p> <p>Any such contract may be set aside either absolutely or, if the party who was entitled to avoid it has received any benefit thereunder, upon such terms and conditions as to the Court may seem just.</p>	<p>Act VI of 1899, section 2.</p> <p>Act VI of 1899, section 8.</p>
			<p><i>Illustrations.</i></p> <p>(a) A's son has forged B's name to a promissory note. B, under threat of prosecuting A's son, obtains a bond from A for the amount of the forged note. If B sues on this bond, the Court may set the bond aside.</p> <p>(b) A, a money-lender, advances Rs. 100 to B, an agriculturist, and by undue influence induces B to execute a bond for Rs. 200 with interest at 6 per cent. per month. The Court may set the bond aside, ordering B to repay the Rs. 100 with such interest as may seem just."</p>	D

Repeals and Amendments of the General Acts, 1899.—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
16	The Indian Contract Act, 1872 (IX of 1872) — <i>contd.</i>	Section 74, paragraph 1.	<p>Section 74.—For paragraph 1 of this section the following is substituted, namely :—</p> <p>“74. When a contract has been broken, if a compensation for sum is named in the breach of contract contract as the where penalty stipulated for. amount to be paid in case of such breach, or if the contract contains any other stipulation by way of penalty, the party complaining of the breach is entitled, whether or not actual damage or loss is proved to have been caused thereby, to receive from the party who has broken the contract reasonable compensation not exceeding the amount so named or, as the case may be, the penalty stipulated for.</p> <p><i>Explanation.</i>—A stipulation for increased interest from the date of default may be a stipulation by way of penalty.”</p> <p>Section 74.—After illustration (e) to this section the following illustrations are added, namely :—</p> <p>(d) A gives B a bond for the repayment of Rs. 1,000 with interest at 12 per cent. at the end of six months with a stipulation that, in case of default, interest shall be payable at the rate of 75 per cent. from the date of default. This is a stipulation by way of penalty, and B is only entitled to recover from A such compensation as the Court considers reasonable.</p> <p>(e) A, who owes money to B, a money-lender, undertakes to repay him by delivering to him 10 maunds of grain on a certain date, and stipulates that, in the event of his not delivering the stipulated amount by the stipulated date, he shall be liable to deliver 20 maunds. This is a stipulation by way of penalty, and B is only entitled to reasonable compensation in case of breach.</p> <p>(f) A undertakes to repay B a loan of Rs. 1,000 by five equal monthly instalments with a stipulation that, in default of payment of any instalment the whole shall become due. This stipulation is not by way of penalty, and the contract may be enforced according to its terms.</p>	Act VI of 1899, section 4 (1).

Repeals and Amendments of the General Acts, 1899.—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act
16	The Indian Contract Act, 1872 (XI of 1872)— <i>concl'd.</i>	....	(g) A borrows Rs. 100 from B and gives him a bond for Rs. 200 payable by five yearly instalments of Rs. 40, with a stipulation that, in default of payment of any instalment, the whole shall become due. This is a stipulation by way of penalty."	
17	The Inland Steam-vessels Act, 1884 (VI of 1884).	....	<p>After section 29 the following is inserted, namely :—</p> <p>29A. Every certificate of competency or service granted under this Act shall have effect throughout British India.</p> <p>Chapter VI.—To the heading to this chapter the words "AND FROM COLLISION" are inserted.</p> <p>After section 50 the following is inserted, namely :—</p> <p>"50A. (1) The Local Government may make rules for the protection of inland steam-vessels from collision.</p> <p>Power for Local Government to make rules for protection of inland steam-vessels from collision.</p> <p>(2) Rules under this section may regulate the following among other matters, that is to say :—</p> <ul style="list-style-type: none"> (a) the making of sound-signals; (b) the carriage and exhibition of lights by inland steam-vessels; (c) the carriage and exhibition of lights by other vessels on inland waters on which steam-vessels ply and which are specified in the rules; (d) the steering rules to be observed; (e) the towing of vessels astern or alongside. <p>(3) Any rule under this section may contain a provision that any person committing a breach of it shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both."</p>	<p>Act VII of 1899, section 2.</p> <p>Act VII of 1899, section 3.</p> <p>Act VII of 1899, section 4.</p>

**Repeals and Amendments of the General Acts, 1899—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
18	The Petroleum Act, 1886 (XII of 1886).	The whole.	.....	Act VIII of 1899, section 25 and [second schedule.
19	The Petroleum Act (1886) Amendment Act, 1890 (XIV of 1890).	Ditto	....	Ditto.
20	The Repealing and Amending Act, 1891 (XII of 1891).	So much as relates to Act XII of 1886.	....	Ditto
21	The Indian Short-title Act, 1897 (XIV of 1897).	So much as relates to Act XIV of 1890.	.....	Ditto.
22	The Petroleum Act, 1898 (VII of 1898).	The whole.	.....	Ditto.
23	The Specific Relief Act, 1877 (I of 1877).	.....	Section 21.—In this section after the words “Code of Civil Procedure” the words and figures “and the Indian Arbitration Act, 1899,” are inserted, and for the words “a controversy” the words “present or future differences” are substituted.	Act IX of 1899, section 21.
24	The Carriers Act, 1865 (III of 1865).	.....	After section 9 the following is added, namely:— “10. No suit shall be instituted against a common carrier for the loss of, or injury to, goods entrusted to him for carriage, unless notice in writing of the loss or injury has been given to him before the institution of the suit and within six months of the time when the loss or injury first came to the knowledge of the plaintiff.” <small>Notice of loss or injury to be given within six months.</small>	Act X of 1899, section 2.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
25	The Indian Limitation Act, 1877 (XV of 1877).	.....	<p>Schedule II.—In Part IV of the first division of this schedule, after the entry numbered 29, the following entries are inserted, namely:—</p> <p>“30.—Against a carrier Ditto . When the loss for compensation for losing or injuring goods.</p> <p>“31.—Against a carrier for Ditto . When the compensation for non-delivery of, or delay in delivering, goods.</p>	Act X of 1899, section 3 (1).
	Ditto	Schedule II.—In Part V of the first division of the second schedule, the entries numbered 30 and 31, respectively.	<p>Schedule II.—In Part V of the first division of this schedule, in the entry numbered 32, for the word “ditto” in the second column the words “Two years” are substituted.</p>	Act X of 1899, section 3 (2).
26	The Court- fees Act, 1870 (VII 1870).	.....	<p>After section 19G, the following sections are added, namely:—</p> <p>“19H. (1) Where an application for probate or letters of administration is made to any Court other than a High Court, the Court shall cause notice of the application to be given to the Collector.</p> <p>(2) Where such an application as aforesaid is made to a High Court, the High Court shall cause notice of the application to be given to the Chief Controlling Revenue- authority of the Province.</p> <p>(3) The Collector, within the local limits of whose revenue-jurisdiction the property of the deceased or any part thereof is, may at any time inspect or cause to be inspected, and take or cause to be taken copies of, the record of any case in which application for probate or letters of administration has been made; and if, on such inspection or otherwise, he is of opinion that the petitioner has underestimated the value of the property of the deceased, the Collector may, if he</p>	Act XI of 1899, section 2.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
26	The Court-fees Act, 1870 (VII 1870)— <i>contd.</i>	... ...	<p>thinks fit, require the attendance of the petitioner (either in person or by agent) and take evidence and inquire into the matter in such manner as he may think fit and, if he is still of opinion that the value of the property has been under-estimated, may require the petitioner to amend the valuation.</p> <p>(4) If the petitioner does not amend the valuation to the satisfaction of the Collector, the Collector may move the Court before which the application for probate or letters of administration was made, to hold an inquiry into the true value of the property :</p> <p>Provided that no such motion shall be made after the expiration of six months from the date of the exhibition of the inventory required by section 277 of the Indian Succession Act, 1865, or, as the case may be, by section 98 of the Probate and Administration Act, 1881.</p> <p>(5) The Court, when so moved as aforesaid, shall hold, or cause to be held, an inquiry accordingly, and shall record a finding as to the true value, as near as may be, at which the property of the deceased should have been estimated. The Collector shall be deemed to be a party to the inquiry.</p> <p>(6) For the purposes of any such inquiry, the Court or person authorized by the Court to hold the inquiry may examine the petitioner for probate or letters of administration on oath (whether in person or by commission), and may take such further evidence as may be produced to prove the true value of the property. The person authorized as aforesaid to hold the inquiry shall return to the Court the evidence taken by him and report the result of the inquiry, and such report and the evidence so taken shall be evidence in the proceeding, and the Court may record a finding in accordance with the report, unless it is satisfied that it is erroneous.</p> <p>(7) The finding of the Court recorded under sub-section (5) shall be final, but shall not bar the entertainment and disposal by the Chief Controlling Revenue-authority of any application under section 19E.</p>	

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
26	The Court-fees Act, 1870 (VII of 1870)— <i>contd.</i>	....	<p>(8) The Local Government may make rules for the guidance of Collectors in the exercise of the powers conferred by sub-section (3).</p> <p>" 19I. (1) No order entitling the petitioner to the grant of probate or letters of administration shall be made upon an application for such grant until the petitioner has filed in the Court a valuation of the property in the form set forth in the third schedule, and the Court is satisfied that the fee mentioned in No. 11 of the first schedule has been paid on such valuation.</p> <p>(2) The grant of probate or letters of administration shall not be delayed by reason of any motion made by the Collector under section 19H, sub-section (4).</p> <p>19J. (1) Any excess fee found to be payable on an enquiry held under section 19H, sub-section (6), and any penalty or forfeiture under section 19G may, on the certificate of the Chief Controlling Revenue-authority, be recovered from the executor or administrator as if it were an arrear of land-revenue by any Collector in any part of British India.</p> <p>(2) The Chief Controlling Revenue-authority may remit the whole or any part of any such penalty or forfeiture as aforesaid, or any part of any penalty under section 19E or of any court-fee under section 19E in excess of the full court-fee which ought to have been paid.</p> <p>19K. "Nothing in section 6 or section 28 shall apply to probates or letters of administration."</p> <p>Sections 6 and 28 not to apply to probates or letters of administration."</p>	

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
26	The Court-fees Act, 1870 (VII of 1870)— <i>contd.</i>	... ...	<p>To this Act, the following schedule is added, namely :—</p> <p style="text-align: center;">" SCHEDULE III.</p> <p style="text-align: center;"><i>(See section 19I.)</i></p> <p>FORM OF VALUATION (TO BE USED WITH SUCH MODIFICATIONS, IF ANY, AS MAY BE NECESSARY).</p> <p style="text-align: center;">IN THE COURT OF</p> <p><i>Re Probate of the Will of</i> <i>(or Administration of the property and credits of</i> <i>, deceased.</i></p> <p style="text-align: right;">I { solemnly affirm } { make oath }</p> <p>and say that I am the executor (or one of the executors or one of the next-of-kin) of , deceased, and that I have truly set forth in Annexure A to this affidavit all the property and credits of which the above-named deceased died, possessed or was entitled to at the time of his death, and which have come, or are likely to come, to my hands.</p> <p>2. I further say that I have also truly set forth in Annexure B all the items I am by law allowed to deduct.</p> <p>3. I further say that the said assets, exclusive only of such last-mentioned items, but inclusive of all rents, interests, dividends and increased value since the date of the death of the said deceased, are under the value of .</p>	<p style="text-align: center;">Act XI of 1899, section 8.</p>

Repeals and Amendments of the General Acts, 1899 - continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
23	The Court-fees Act, 1870 (VII of 1870)— <i>contd.</i>	...	<p style="text-align: center;">ANNEXURE A.</p> <p>VALUATION OF THE MOVEABLE AND IMMOVEABLE PROPERTY OF , DECEASED.</p> <p>Cash in the house and at the banks, household goods, wearing apparel, books, plate, jewels, etc.</p> <p>(State estimated value according to best of Executor's or Administrator's belief).</p> <p>Property in Government securities transferable at the Public Debt Office.</p> <p>(State description and value at the price of the day; also the interest separately, calculating it to the time of making the application).</p> <p>Immoveable property, consisting of—</p> <p>(State description, giving, in the case of houses, the assessed value, if any, and the number of years' assessment the market-value is estimated at, and, in the case of land, the area, the market-value and all rents that have accrued.)</p> <p>Leasehold property</p> <p>(If the deceased hold any leases for years determinable, state the number of years' purchase the profit rents are estimated to be worth and the value of such, inserting separately arrears due at the date of death and all rents received or due since that date to the time of making the application).</p>	<i>R. S. A. p.</i>

Repeals and Amendments of the General Acts, 1899.—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
26	The Court- fees Act, 1870 (VII of 1870)— contd.	.....	<p>Property in public Companies .</p> <p>(State the particulars and the value calculated at the price of the day; also the interest separately, calculating it to the time of making the application).</p> <p>Policy of insurance upon life, money out on mortgage and other securities, such as bonds, mortgages, bills, notes and other securities for money.</p> <p>(State the amount of the whole; also the interest separately, calculating it to the time of making the application).</p> <p>Book debts .</p> <p>(Other than bad).</p> <p>Stock in trade</p> <p>(State the estimated value, if any).</p> <p>Other property not comprised under the foregoing heads.</p> <p>(State the estimated value, if any).</p> <p style="text-align: right;">TOTAL .</p> <p>Deduct amount shewn in Annexure B not subject to duty.</p> <p style="text-align: right;">NET TOTAL .</p>	<p>Rs. a. p</p>

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
ANNEXURE B.				
26	The Court-fee Act, 1870 (VII of 1870)—concl'd.	.....	SCHEDULE OF DEBTS, ETC. <i>Esra. p.</i>	
			Amount of debts due and owing from the deceased, payable by law out of the estate.	
			Amount of funeral expenses	
			Amount of mortgage incumbrances.	
			Property held in trust not beneficially or with general power to confer a beneficial interest.	
			Other property not subject to duty.	
			" TOTAL "	
27	The Probate and Administration Act, 1889 (VI of 1889).	Section 20	.....	Act XI of 1899, section 4.
28	The Indian Penal Code, 1860 (Act XLV of 1860).	.....	After section 489 the following are inserted, namely :— <i>"Of Currency-Notes and Bank-Notes.</i>	Act XII of 1899, section 2.
			489A. Whoever counterfeits, or knowingly performs any part of counterfeiting, any currency-note or bank-note, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.	
			<i>Explanation.</i> —For the purposes of this section and of sections 489B, 489C and 489D the expression 'bank-note' means a	

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
28	The Indian Penal Code 1860 (Act XLV of 1860)— <i>contd.</i>	....	<p>promissory note or engagement for the payment of money to bearer on demand issued by any person carrying on the business of banking in any part of the world, or issued by or under the authority of any State or Sovereign Power, and intended to be used as equivalent to, or as a substitute for, money.</p> <p>489B. Whoever sells to, or buys or receives from, any other person, or otherwise traffics in or uses as genuine, any forged or counterfeit currency-note or bank-note, knowing or having reason to believe the same to be forged or counterfeit, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.</p> <p>489C. Whoever has in his possession any forged or counterfeit currency-note or bank-note, knowing or having reason to believe the same to be forged or counterfeit and intending to use the same as genuine or that it may be used as genuine, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.</p> <p>489D. Whoever makes, or performs any part of the process of making, or buys or sells or disposes of, or has in his possession, any machinery, instrument or material for the purpose of being used, or knowing or having reason to believe that it is intended to be used, for forging or counterfeiting any currency-note or bank-note, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine."</p>	

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
29	The Code of Criminal Procedure, 1898 (Act V of 1898).	.....	Schedule ii.—After the entries relating to section 489 of the Indian Penal Code the following are inserted, namely:—	Act XII of 1899 section 3.

“ Of Currency-Notes and Bank-Notes.

489A	Counterfeiting currency-notes or bank-notes.	May arrest without warrant.	Warrant.	Not bailable.	Not compoundable.	Transportation for life, or imprisonment of either description for 10 years, and fine.	Court Session.
489B	Using as genuine forged or counterfeit currency-notes or bank-notes.	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto.
489C	Possession of forged or counterfeit currency-notes or bank-notes.	Ditto	Ditto	Bailable	Ditto	Imprisonment of either description for 7 years, or fine, or both.	Ditto.
489D	Making or possessing instruments or materials for forging or counterfeiting currency-notes or bank-notes.	Ditto	Ditto	Not bailable.	Ditto	Transportation for life, or imprisonment of either description for 10 years, and fine.	Ditto.”
50	The Glanders and Farcy Act, 1879 (XX of 1879).	The whole.	.....	.....	.....	.....	Act XIII of 1899, section 17.
31	The Repealing and Amending Act, 1891 (XII of 1891).	So much of the Act as relates to Act XX of 1879.	.....	.....	.....	.....	Ditto.
32	The Glanders and Farcy Act, 1879, A m e n- dment Act, 1896 (XV of 1896).	The whole.	.....	.....	.....	.....	Ditto.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5	6
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.	
33	The Indian Short-titles Act, 1897 (XIV of 1897).	So much of the Act as relates to Act XV of 1896.	.....		Act XIII of 1899, section 17.
34	The Indian Tariff Act, 1894 (VIII of 1894).	.....	After section 8 the following is inserted, namely :— “8A. (1) Where any country, dependency or Additional import-duty on bounty-fed colony pays or be- articles, directly or indi- rectly, any bounty or grant upon the exportation therefrom of any article and the article is chargeable with duty under the provisions of this Act, then, upon the importation of any such article into British India, whether the same is imported directly from the country of production or otherwise, and whether it is imported in the same condition as when exported from the country of production or has been changed in condition by manufacture or otherwise, the Governor General in Council may, by notification in the Gazette of India, impose an additional duty equal to the net amount of such bounty or grant, however the same be paid or be- towed. (2) The net amount of any such bounty or grant as aforesaid shall be, from time to time, ascertained, determined and declared by the Governor General in Council, and the Governor General in Council may, by notification in the Gazette of India, make rules for the identification of such articles and for the assessment and collection of any additional duty imposed upon the im- portation thereof under sub-section (1).”		Act XIV of 1899, sec- tion 2.
35	The Northern India Canal and Drain- age Act, 1873 (VIII of 1873).	.....	Section 38.—To this section the following paragraph is added, namely :— “The rules hereinbefore referred to may pre- script and determine what persons or classes of persons are to be deemed to be occupiers for the purposes of this section, and may also determine the severallabilities, in respect of the payment of the occupier's		Act XVI of 1899, sec- tion 2.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
35	The Northern India Canal and Drainage Act, 1873 (VIII of 1873)— contd.		rate, of tenants and of persons to whom tenants may have sublet their lands, or of proprietors and of persons to whom proprietors may have let the lands held by them in cultivating occupancy."	
36	The Indian Registration Act, 1897 (III of 1897).	Section 22	Section 47.—For the words "or tenants" the words "tenants or sub-tenants" are substituted. Section 22.—For this section the following is substituted, namely:— 22. (1) Where it is, in the opinion of the Local Government, practicable to describe houses, not being houses in towns, and lands by reference to a Government map, or survey, the Local Government may, by rule, require that such houses and lands as aforesaid shall, for the purposes of section 21, be so described. (2) Save as otherwise provided by any rule made under sub-section (1), failure to comply with the provisions of section 21, clause (2), shall not disentitle a document to be registered if the description of the property, to which it relates, is sufficient to identify that property."	Act XVI of 1899, section 3. Act XVII of 1899, section 2.
37	The Land Improvement Loans Act, 1888 (XIX of 1888).	... ..	Section 6, sub-section (1).—For the words "from the date of the actual advance of the last Instalment" the words "from the date of the advance of the last Instalments actually paid" are substituted, with retrospective effect.	Act XVIII of 1899, section 2.
38	The Presidency Banks Act, 1876 (XI of 1876).	.....	Section 86, clause (a), sub-clause (4), as amended by section 4 of the Presidency Banks Act, 1879.—To this section the following is added, namely:— "or the Trustees for the improvement of the City of Bombay under the authority of the City of Bombay Improvement Act, 1898."	Act XX of 1899, section 2.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
39	The Central Provinces Tenancy Act, 1898 (XI of 1898).	....	Section 45.—For sub-section (6) the following is substituted, namely :— “(6) Nothing in this section shall affect a document duly registered before the commencement of this Act; and, on any surrender or transfer such as is described in sub-section (1) being made, decreed or ordered in pursuance of such a document, the rights of the parties to occupy the said land shall accrue as if this Act had not been passed.”	Act XXI of 1899, section 2.
40	The Indian Coinage Act, 1870 (XXIII of 1870).	.....	Section 12.—For this section the following is substituted, namely :— “12. Gold coins, whether coined at Her Gold coins a legal Majesty's Royal Mint tender, in England, or at any Mint established in pursuance of a Proclamation of Her Majesty as a branch of Her Majesty's Royal Mint, shall be a legal tender in payment or on account at the rate of fifteen rupees for one sovereign : Provided that such coins have not been called in by any Proclamation made in pursuance of the Coinage Act, 1870, or have not lost weight so as to be of less weight than that for the time being prescribed for like coins by or under the said Statute as the least current weight.”	Act XXII of 1899, section 2.
41	The Indian Paper Currency Act, 1882 (XX of 1882).	.....	Section 11, clause (a).—The following words and figures are added to this clause, namely :— “or in gold coin which is legal tender under the Indian Coinage Act, 1870.”	Act XXII of 1899, section 3.
42	The Central Provinces Government Wards Act, 1885 (XVII of 1885).	The whole	.....	Act XXIV of 1899, section 41.
43	The Guardians and Wards Act, 1890 (VIII of 1890).	So much of section 2 and the schedule as relates to Act XVII of 1885.	.....	Ditto.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
4	The Repealing and Amending Act, 1891 (XII of 1891).	So much as relates to Act XVII of 1885.	.....	Act XXIV of 1899, section 41.
5	The Punjab Courts Act, 1884 (XVIII of 1884).	.....	<p>Section 39.—To this section, as amended by the Punjab Courts Act, 1888, the following proviso is added, namely:—</p> <p>“Provided that the Chief Court may, with the previous sanction of the Local Government, by notification in the local official Gazette, direct that appeals lying to the Divisional Court under clause (c) from all or any of the decrees passed in an original suit by any Munsif or Subordinate Judge shall be preferred to such District Judge as may be mentioned in the notification, and the appeals shall thereupon be preferred accordingly, and the Court of such District Judge shall be deemed to be a Divisional Court for the purposes of all appeals so preferred.”</p> <p>Sections 40 and 41.—For these two sections as amended by the Punjab Courts Act, 1888, the following are substituted, namely:—</p> <p>“40. (1) A further appeal shall lie to the Chief Court in any of the following cases from an appellate decree of a Divisional Court on any ground which would be a good ground of appeal if the decree had been passed in an original suit, namely:—</p> <p>(a) in a small cause or unclassed suit,—</p> <p>(i) if the value of the suit is one thousand rupees or upwards, or the decree involves directly some claim to, or question respecting, property of like value, and the decree of the Divisional Court varies or reverses otherwise than as to costs the decree of the Court below; or</p>	Act XXV of 1899, section 2.

Repeals and Amendments of the General Acts, 1899—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
45	The Punjab Courts Act, 1884 (XVIII of 1884)— contd.	.....	<p>(ii) if the value of the suit is two thousand five hundred rupees or upwards or the decree involves directly some claim to, or question respecting, property of like value:</p> <p>(b) in a land suit,—</p> <p>(i) if the value of the suit is two hundred and fifty rupees or upwards or the decree involves directly some claim to, or question respecting, property of like value and the decree of the Divisional Court varies or reverses otherwise than as to costs the decree of the Court below; or</p> <p>(ii) if the value of the suit is one thousand rupees or upwards or the decree involves directly some claim to, or question respecting, property of like value.</p> <p>(2) The provisions contained in Chapter XLI of the Code of Civil Procedure as amended by this Act shall apply, as far as may be, to further appeals under this section and to the execution of decrees passed on such appeals.</p> <p>41. Subject to the provisions of sections 40 and 70 of this Act and to those of section 595 of the Code of Civil Procedure, an appellate decree of a District Judge or Divisional Court shall be final.</p>	
	Section 43.—The proviso to sub-section (2).		.....	Act XXV of 1899, section 4.
			After section 67 the following is inserted, namely:— ‘68. Section 568 of the Code of Civil Procedure, in its application to the territories to which this Act ex-	Act XXV of 1899, section 5.

Repeals and Amendments of the General Acts, 1899—continued

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or amending Act.
45	The Punjab Courts Act, 1884 (XVIII of 1884)— <i>contd.</i>	.....	<p>tends, shall be read subject to the following additions, namely :—</p> <p>(1) at the end of clause (b) the words and letter 'or (c) the Appellate Court considers further inquiry necessary on any issue or question of fact,' and</p> <p>(2) after the words 'or witness to be examined' the words 'or such inquiry to be made'.</p> <p>Sections 70 and 71.—For these sections the following are substituted, namely :—</p> <p>“ 70. (1) The Chief Court may call for the record of any case in Court to call for record which no appeal lies to of cases not appealable to it, and may pass such order in the case as it thinks fit,—</p> <p>(a) if the Court, by which the case was decided, appears to have exercised a jurisdiction not vested in it by law, or to have failed to exercise a jurisdiction so vested, or to have acted in the exercise of its jurisdiction with material irregularity; or</p> <p>(b) if, on application made to it, the Chief Court is of opinion that there is an important question of law or custom involved and that such question requires further consideration:</p> <p>“ Provided as follows—</p> <p>(i) no application under clause (b) shall be admitted after the expiration of ninety days from the date of the order in respect of which the application is made, unless the applicant satisfies the Chief Court that he had sufficient cause for not making the application within that period:</p> <p>(ii) no such application shall be admitted in a small cause under the value of one thousand rupees or in an unclassified suit under the value of two hundred rupees:</p>	Act XXV of 1899, section 6.

Repeals and Amendments of the General Acts, 1899—continued.

1	II	3	II	
Serial No.	Enactments affected,	Repeals	Amendments.	Repealing or Amending Act.
45	The Punjab Courts Act, 1884 (XVIII of 1884)— <i>conclad.</i>		<p>(iii) on any such application the Chief Court shall not revise the decision of the Court below except in so far as such decision involves the question of law or custom in respect of which the application has been admitted: and</p> <p>(iv) when any such application has been admitted the Chief Court shall, subject to the last foregoing proviso, treat the matter of the application as if were an appeal.</p> <p><i>Explanation.</i>—A question of procedure is not a question of law or custom within the meaning of clause (b).</p> <p>(2) In computing the period of limitation aforesaid, the provisions of the Indian Limitation Act, 1877, shall be deemed to apply.</p> <p>(3) Section 622 of the Code of Civil Procedure, in so far as it applies to the territories to which this Act extends, is hereby repealed.</p> <p>71. In the first schedule to the Court-fees, Amendment of the Act, 1870, after No. 12 first schedule, Act, the following shall be inserted, namely:—</p>	
			<p>'13. Application to the Chief Court in the Punjab for the exercise of its jurisdiction under section 70 of the Punjab Courts Act, 1884, as amended by the Punjab Courts Act, 1887.</p>	<p>When the amount or value of the subject matter in dispute does not exceed twenty-five rupees.</p> <p>When such amount or value exceeds twenty-five rupees.</p> <p>The fee leviable on a memorandum of appeal."</p>
			<p>Section 72.—In this section for the words and figures "under section 622 of the Civil Procedure Code" the words and figures "under section 70" are substituted.</p>	Act XXV of 1899, section 7.

Repeals and Amendments of the General Acts, 1900.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
1	The Indian Articles of War (Act V of 1869).	.....	<p>For sub-article (2) the following sub-articles are substituted, namely:—</p> <p>“(2) Unattested recruits who, in the opinion of their Commanding Officer, are not likely to make good soldiers, and persons attested under these Articles who are serving in a cavalry corps and who have, in the opinion of their Commanding Officer, failed to become good riders, shall be liable to discharge from the service by order of the Commanding Officer of the corps or department to which they may belong:</p> <p>Provided that, in the case of persons attested under these Articles, this liability shall cease on the completion of their third year of service.</p> <p>(3) Every person so dismissed or discharged shall forfeit all claim to pension.”</p>	Act I of 1900, section 2.
2	The Transfer of Property Act, 1882 (Act IV of 1882).	.....	<p>Section 3.—In this section after the definition of “attached to the earth” the following is inserted, namely:—</p> <p>“‘Actionable claim’ means a claim to any debt, other than a debt secured by mortgage of immoveable property or by hypothecation or pledge of moveable property, or to any beneficial interest in moveable property not in the possession, either actual or constructive, of the claimant, which the Civil Courts recognize as affording grounds for relief, whether such debt or beneficial interest be existent, accruing, conditional or contingent.”</p> <p>Section 6.—In clause (e) the words “for compensation for a fraud or for harm illegally caused” are omitted; and in clause (4) the words “for an illegal purpose” are omitted and instead thereof the words “for an unlawful object or consideration within the meaning of section 23 of the Indian Contract Act, 1872,” are inserted.</p>	Act II of 1900, section 2.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
2	The Transfer of Property Act, 1882 (Act IV of 1882)— <i>contd.</i>		<p>Chapter VIII.—For this chapter the following is substituted, namely :—</p> <p style="text-align: center;">"CHAPTER VIII.</p> <p style="text-align: center;">OF TRANSFERS OF ACTIONABLE CLAIMS.</p> <p>130. (1) The transfer of an actionable claim Transfer of action. shall be effected only able claim. by the execution of an instrument in writing signed by the transferor or his duly authorized agent, and shall be complete and effectual upon the execution of such instrument, and thereupon all the rights and remedies of the transferor, whether by way of damages or otherwise, shall vest in the transferee, whether such notice of the transfer as is hereinafter provided be given or not :</p> <p>Provided that every dealing with the debt or other actionable claim by the debtor or other person from or against whom the transferor would, but for such instrument of transfer as aforesaid, have been entitled to recover or enforce such debt or other actionable claim, shall (save where the debtor or other person is a party to the transfer or has received express notice thereof as hereinafter provided) be valid as against such transfer.</p> <p>(2) The transferees of an actionable claim may, upon the execution of such instrument of transfer as aforesaid, sue or institute proceedings for the same in his own name without obtaining the transferor's consent to such suit or proceedings and without making him a party thereto.</p> <p><i>Exception.</i>—Nothing in this section applies to the transfer of a marine or fire policy of insurance.</p> <p style="text-align: center;"><i>Illustration.</i></p> <p>(i) A owes money to B, who transfers the debt to C. B then demands the debt from A, who, not having received notice of the transfer, as prescribed in section 131, pays B. The payment is valid, and C cannot sue A for the debt.</p>	Act II of 1900, section 4.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
2	The Transfer of Properly Act, 1882 (Act IV of 1882)— <i>contd.</i>	.....	<p>(ii) A effects a policy on his own life with an Insurance Company and assigns it to a Bank for securing the payment of an existing or future debt. If A dies, the Bank is entitled to receive the amount of the policy and to sue on it without the concurrence of A's executor, subject to the proviso in sub-section (1) of section 180 and to the provisions of section 182.</p> <p>131. Every notice of transfer of an action- able claim shall be in writing, signed by the transferor or his agent duly authorized in this behalf, or, in case the transferor refuses to sign, by the transferee or his agent, and shall state the name and address of the transferee.</p> <p>132. The transferee of an actionable claim shall take it subject to all the liabilities and equities to which the transferor was subject in respect thereof at the date of the transfer.</p>	
			<i>Illustrations.</i>	
			<p>(i) A transfers to C a debt due to him by B, A being then indebted to B. C sues B for the debt due by B to A. In such suit B is entitled to set off the debt due by A to him, although C was unaware of it at the date of such transfer.</p> <p>(ii) A executed a bond in favour of B under circumstances entitling the former to have it delivered up and cancelled. B assigns the bond to C for value and without notice of such circumstances. C cannot enforce the bond against A.</p> <p>133. Where the transferor of a debt war- rants the solvency of debtor. The warranty, in the absence of a contract to the contrary, applies only to his solvency at the time of the transfer, and is limited, where the transfer is made for considera- tion, to the amount or value of such con- sideration.</p>	

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
2	The Transfer of Property Act, 1882 (Act IV of 1882)— <i>contd.</i>	.....	<p>134. Where a debt is transferred for the Mortgaged debt. purpose of securing an existing or future debt, the debt so transferred, if received by the transferor or recovered by the transferee, is applicable, first in payment of the costs of such recovery: secondly, in or towards satisfaction of the amount for the time being secured by the transfer; and the residue, if any, belongs to the transferor or other person entitled to receive the same.</p> <p>135. Every assignee, by endorsement or Assignment of rights other writing, of a under marine or fire policy of marine insurance or of a policy of insurance against fire, in whom the property in the subject insured shall be absolutely vested at the date of the assignment, shall have transferred and vested in him all rights of suit as if the contract contained in the policy had been made with himself.</p> <p>136. No Judge, legal practitioner, or officer Incapacity of officers connected with Courts of Justices. connected with any Courts of Justice shall buy or traffic in, or stipulate for, or agree to receive, any share of, or interest in, any actionable claim, and no Court of Justice shall enforce, at his instance or at the instance of any person claiming by or through him, any actionable claim so dealt with by him as aforesaid.</p> <p>137. Nothing in the foregoing sections of Saving of negotiable Instruments, etc. this Chapter applies to stocks, shares or debentures or to instruments which are for the time being, by law or custom, negotiable, or to any mercantile document of title to goods.</p> <p><i>"Explanation.—The expression 'mercantile document of title to goods' includes a bill of lading, dock-warrant, warehouse-keeper's certificate, railway receipt, warrant</i></p>	

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
2	The Transfer of Property Act, 1882 (Act IV of 1882)— <i>concl.</i>		or order for the delivery of goods, and any other document used in the ordinary course of business as proof of the possession or control of goods, or authorizing or purporting to authorize, either by endorsement or by delivery, the possessor of the document to transfer or receive goods thereby represented."	
3	The Policies of Insurance (Marine and Fire) Assignment Act, 1866 (V of 1866).	So much as is unrepealed.	.....	Act II of 1900, section 5.
4	The Indian Short-titles Act, 1897 (XIV of 1897).	So much as relates to Act V of 1866.	.....	Ditto.
5	The Prisoners' Testimony Act, 1869, (XV of 1869).	The whole	.....	Act III of 1900, section 53, and third schedule.
6	The Prisoners' Act, 1871 (V of 1871).	The whole, except section 15.	....	Ditto.
7	The Prisoners' Act Amendment Act, 1882 (IX of 1882).	The whole	.....	Ditto.
8	The Indian Criminal Law Amendment Act, 1886 (X of 1886).	Section 25	.....	Ditto.
9	The Lower Burma Courts Act, 1889 (XI of 1889).	Section 98	....	Ditto.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
10	The Repealing and Amending Act, 1891 (XII of 1891).	So much as relates to Act V of 1871.	.....	Act III of 1900, section 53, and third schedule.
11	The Foreign Jurisdiction (Capital Sentences) Act, 1893 (V of 1893).	The whole	.....	Ditto.
12	The Prisoners' Act (1871) Amendment Act, 1894 (VII of 1894).	The whole	.....	Ditto.
13	The Reformatory Schools Act, 1897 (VIII of 1897).	Section 30	.....	Ditto.
14	The Indian Companies Act, 1882 (VI of 1882).	.....	Construction of Act IV of 1900 as one with Act VI of 1882.	Act IV of 1900, section 5.
15	The Whipping Act, 1864 (VI of 1864).	.....	After section 4, as amended by the Indian Criminal Law Amendment Act, 1895, the following is added, namely :— “4A. Whenever any Local Government Additional punishment has, with the permission of whipping for vious sanction of the rape in certain cases. Governor General in Council, by notification in the local official Gazette, declared the provisions of this section to be in force in any local area within its province, any person in that local area, who, being a member of an assembly of two or more persons, the common object of which assembly is to commit rape as defined in section 375 of the Indian Penal Code, abets, commits or attempts to commit such offence, may be punished with whipping in addition to any other punishment to which, for such abetment, offence or attempt, he may be liable under the said Code.”	Act V of 1900, section 2.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactment affected.	Repeals. ^a	Amendments.	Repealing or Amending Act.
16	The Whipping Act, 1864 (VI of 1864)— concl'd.	.....	<p>Section 5.—For this section, as amended by the Indian Criminal Law Amendment Act, the following is substituted, namely :—</p> <p>“5. Any juvenile offender who abets, commits or attempts to when punishable with commit—whipping.</p> <p>(a) any offence which is punishable under the Indian Penal Code otherwise than with death, or</p> <p>(b) any offence which is punishable under any other law with imprisonment, may be punished with whipping in lieu of any other punishment to which he may for such offence, abetment or attempt be liable:</p> <p>Provided that the Governor General in Council may, by notification in the Gazette of India, direct that the punishment of whipping shall not be inflicted in respect of such offences falling under clause (b) as he may think fit to specify in this behalf.</p> <p><i>Explanation.</i>—In this section the expression ‘juvenile offender’ means an offender whom the Court, after making such enquiry (if any) as may be deemed necessary, shall find to be under sixteen years of age, the finding of the Court in all cases being final and conclusive.”</p>	Act V of 1900, section 3.
	In the preamble, the words “under the provisions of the Indian Penal Code”	.....	.....	Act V of 1900, section 4.
	In section 1, the words “under the provisions of the said Code.”	.....	.....	Ditto.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
16	The Indian Criminal Law Amendment Act, 1895 (III of 1895).	Section 6 .	.....	Act V of 1900, section 4.
17	The Indian Trustees Act, 1866 (XXVII of 1866).	.....	Section 2.—In the definition of "High Court" after the word "Punjab" the words "and the Chief Court of Lower Burma" are inserted.	Act VI of 1900, section 47 and first schedule.
18	The Trustees and Mortgagors Powers Act, 1866 (XXVII of 1866).	.....	Section 1.—In the definition of "High Court" after the word "Punjab" the words "and the Chief Court of Lower Burma" are added.	Ditto.
19	The Indian Divorce Act, 1869 (IV of 1869).	.....	Section 3, clause (1), for the words "the Special Court constituted under the Lower Burma Courts Act, 1889," the words "the Chief Court of Lower Burma" are substituted.	Ditto.
20		.....	Section 3.—In clause (2), for the words "the areas for the time being within the local limits of the ordinary civil jurisdiction of the Recorder of Rangoon and of the civil jurisdiction of the Court of the Judge of the Town of Moulmein" and the word "Burma" for the words "the areas aforesaid—the Recorder of Rangoon and the Judge of the Town of Moulmein respectively," the words "Burma—a Judge of a Divisional Court" are, respectively, substituted.	Ditto.
21	The Court-fees Act, 1870 (VII of 1870).	.....	First schedule.—For the words and figures in the first column of No. 14 of the first schedule, the following is substituted, namely:— "14. Application to the Chief Court of Lower Burma for the exercise of its revisional jurisdiction under section 622 of the Code of Civil Procedure or section 25 of the Provincial Small Cause Courts Act, 1887."	Ditto.

Repeals and Amendments of the General Acts, 900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
22	The Probate and Administration Act, 1877 (II of 1877).	.....	Section 1.—For clause (c) the following is substituted, namely:— “(c) the Chief Court of Lower Burma, and previous to its establishment the Court of the Recorder of Rangoon.”	Act VI of 1900, section 47 and first schedule.
23	The Indian Limitation Act, 1877 (XV of 1877).	.....	Second schedule.—In Nos. 151 and 162 of this schedule, after the word “Punjab” the words “or the Chief Court of Lower Burma” are inserted.	Ditto.
24	The Destruction of Records Act, 1879 (III of 1879).	.....	Section 3.—After the word “Bombay” the words “and the Chief Court of Lower Burma” are inserted.	Ditto.
25	The Legal Practitioners Act, 1879 (XVIII of 1879).	.....	Section 41.—In sub-section (4), after the word “Punjab” the words “and the Chief Court of Lower Burma” are inserted.	Ditto.
26	The Burma Boundaries Act, 1880 (V of 1880).	.....	Section 19.—For the words following the words “an appeal shall lie” down to the end of the section the following are substituted, namely:— “— in Lower Burma to the Chief Court of Lower Burma. “— in Upper Burma to the Judicial Commissioner of Upper Burma.”	Ditto.
			Section 21.—For the words “and the Recorder of Rangoon” the words “of Upper Burma and the Chief Court of Lower Burma” are substituted.	Ditto.
27	The Probate and Administration Act, 1881 (V of 1881).	.....	Section 59.—For the words “Court of the Recorder of Rangoon” the words “Chief Court of Lower Burma” are substituted.	Ditto.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
28	The Code of Civil Procedure (Act XIV of 1882).	.....	<p>Section 4.—For the figures "1889" following the words "the Lower Burma Courts Act" the figures "1900" are substituted.</p> <p>Section 6.—For clause (d) the following is substituted, namely :—</p> <p>"(d) of the Chief Court of Lower Burma sitting as an Insolvent Court under the Statute 11 and 12 Victoria, Chapter 21;"</p> <p>Section 39.—In the third paragraph, after the word "Punjab" the words "or of the Chief Court of Lower Burma" are inserted.</p> <p>Section 360 A.—For the words "or Bombay" the words "Bombay or Rangoon" are substituted.</p> <p>Section 538.—For clause (b) the following is substituted, namely :—</p> <p>"(b) the Chief Court of Lower Burma."</p> <p>Section 643.—For the words "Court of the Recorder of Rangoon" the words "Chief Court of Lower Burma" are substituted.</p>	<p>Act VI of 1900, section 47 and first schedule.</p> <p>Ditto.</p> <p>Ditto.</p> <p>Ditto.</p> <p>Ditto.</p> <p>Ditto.</p>
29	The Colonial Courts of Admiralty (India) Act, 1891 (XVI of 1891).	.....	<p>Section 2.—For sub-clause (4) the following is substituted, namely :—</p> <p>"(4) the Chief Court of Lower Burma."</p>	<p>Ditto.</p>
30	The Code of Criminal Procedure, 1898 (Act V of 1898).	.....	<p>Section 4.—In clause (d), for the words "Recorder of Rangoon" the words "Chief or Senior Judge of the Chief Court of Lower Burma" are substituted.</p> <p><i>Ibid.</i>—In clause (j), for the words "Court of the Recorder of Rangoon" the words "Chief Court of Lower Burma" are substituted.</p> <p>Section 25.—For the words "the Judges of the High Courts and the Recorder of Rangoon" the words "and the Judges of the High Courts" are substituted.</p>	<p>Ditto.</p> <p>Ditto.</p> <p>Ditto.</p>

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
30	The Code of Criminal Procedure, 1898 (Act V of 1898)— <i>contd.</i>	.....	<p>Section 266.—For the words “Court of the Recorder of Rangoon” the words “Chief Court of Lower Burma” are substituted.</p> <p>Section 364.—In sub-section (1), after the word “Punjab” the words “or the Chief Court of Lower Burma” are substituted.</p> <p>Section 365.—The word “and” after the words “Royal Charter” is omitted, and after the word “Punjab” the words “and the Chief Court of Lower Burma” are inserted.</p>	<p>Act VI of 1900, section 47 and first schedule.</p> <p>Ditto.</p> <p>Ditto.</p> <p>Ditto.</p>
31	The Indian Stamp Act, 1899 (II of 1899).	.....	<p>Section 57.—In this section, between sub-clauses (d) and (e) the following is inserted, namely :—</p> <p>“(1) if it arises in Burma—to the Chief Court of Lower Burma ;”</p>	Ditto.
32	The Indian Arbitration Act, 1899 (IX of 1899).	.....	<p>Section 23.—For this section, the following is substituted, namely :—</p> <p>“(1) This Act shall apply within the local limits of the ordinary civil jurisdiction of the Chief Court of Lower Burma in cases where, if the subject-matter submitted to arbitration were the subject of a suit, the suit could, whether with leave or otherwise, be instituted within those local limits.”</p> <p>“(2) For the purposes of this Act, the local limits aforesaid shall be deemed to be a presidency-town.”</p>	Ditto.
33	The Arakan Hills Civil Justice Regulation, 1874 (VIII of 1874).	.....	Section 76.—In this section, for the words, “Judicial Commissioner”, wherever they occur, the words “Chief Court” are substituted; for the words “in his Court” the words “in the Chief Court” are substituted; and for the words “his judgment” the words “its judgment” are substituted.	Act VI of 1900, section 47 and first schedule.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.

Acts of the Lieutenant-Governor of Burma in Council.

34	The Burma Municipal Act, 1898 (III of 1898).	.....	<p>Section 63.—In sub-section (5) of this section, for the words "Judicial Commissioner" the words "Chief Court of Lower Burma, if the case has arisen in Lower Burma; or to the Judicial Commissioner of Upper Burma, if the case has arisen in Upper Burma" are substituted.</p> <p><i>Ibid.</i>—In sub-section (6) of this section, before the words "the Judicial Commissioner", wherever they occur, the words "the Chief Court or" are inserted.</p> <p>Section 64.—In sub-sections (5) and (6) of this section, for the word "Recorder," wherever it occurs, the words "Chief Court of Lower Burma" are substituted.</p>	Act VI of 1900, section 47 and first schedule.
				Ditto.
				Ditto.

Acts of the Governor-General in Council.

35	The Official Trustees Act, 1864 (XVII of 1864).	Sub-section (3) of section 34.	.....	Act VI of 1900, section 48 and second schedule.
36	The Indian Succession Act, 1865 (X of 1865).	Section 3.—In the definition of "High Court" the words "and for the purposes of sections 242, 242A, 246A and 277A, shall include the Court of the Recorder of Rangoon."	.....	Ditto.
37	The Indian Oaths Act, 1873 (X of 1873).	The explanation to section 7.	.....	Ditto.
38	The Administrator General's Act, 1874 (II of 1874).	Sub-section (3) of section 68.	.....	Ditto.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
<i>Acts of the Governor General in Council—continued.</i>				
38	The Destruction of Records Act, 1879 (III of 1879).	The second paragraph of section 2.	.....	Act VI of 1900, section 48 and second schedule.
39	The Powers of Attorney Act, 1882 (VII of 1882).	Section 4, clause (f).	.....	Ditt
40	The Code of Civil Procedure (Act XIV of 1882).	Section 287.—In the penultimate paragraph of this section the words "As regards his own Court and the Court of Small Causes at Rangoon, the Recorder of Rangoon shall be deemed to be a 'High Court' within the meaning of this paragraph."	.....	Ditto.
		Section 386.—The words "or the Court of the Recorder of Rangoon."	.....	Ditto
		Section 614.	.....	Ditto.
41	The Indian Merchant Shipping Act, 1883 (V of 1883).	Section 15, sub-section (2).	.....	Ditto.
42	The Inland Steam-vessels Act, 1884 (VI of 1884).	Section 39, sub-section (2).	.....	Ditto.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.

Acts of the Governor General in Council—continued.

43	The Lower Burma Courts Act, 1889 (XI of 1889).	So much as has not been repealed.	.....	Act VI of 1900, section 48 and second schedule.
44	The Guardians and Wards Act, 1890 (VIII of 1890).	So much of the schedule as relates to Act XI of 1889.	.....	Ditto.
45	The Repealing and Amending Act, 1891 (XII of 1891).	So much of the second schedule as relates to Act XI of 1889.	.....	Ditto.
46	The Colonial Courts of Admiralty (India) Act, 1891 (XVI of 1891).	So much of the schedule as relates to Act XI of 1889.	.....	Ditto.
47	The Code of Criminal Procedure, 1898 (Act V of 1898).	Section 185, sub-section (2).	.....	Ditto.
		Section 487.—The words "and the Recorder of Rangoon."	.....	Ditto
48	The Prisoners' Act, 1900 (III of 1900).	The second and third paragraphs of section 49.	.....	Ditto.

Repeals and Amendments of the General Acts, 1900—continued.

1 Serial No.	2 Enactments affected.	3 Repeals.	4 Amendments.	5 Repealing or Amending Act.
--------------------	------------------------------	---------------	------------------	---------------------------------------

Acts of the Governor General in Council—continued.

49	The Currency Conversion (Army An- nual Act, 1899 (XIX of 1899).	.....	Section 2—For this section the following is substituted, namely:— "2. For the purposes of the Army Act or Rate of exchange of any similar Act for fixed for calculating the time being in equivalent in British force, fifteen rupees Indian currency of British Indian cur- rency mentioned in the currency shall be deemed Army Act. to be the equivalent of one pound of British currency, and any sum of British currency mentioned in the said Act or in any similar Act as aforesaid shall be deemed to be the equivalent of a sum of British Indian currency calculated at that rate of exchange."	Act VII of 1900, sec- tion 1.
		Section 1.—In sub-section (1) the word "un- usual".	.....	Act VII of 1900, sec- tion 2.
		Section 3.	.....	Ditto.
50	The Indian Paper Cur- rency Act, 1882 (XX of 1882).	.....	Section 13A.—For this section the following is substituted, namely:— "13A. (1) If the Secretary of State for Gold coin or bullion India shall consent to held as a reserve by hold in gold coin or Secretary of state. gold bullion the equiv- alent in value to notes issued in India as a reserve to secure the payment of such notes, the Governor General in Council may from time to time direct that currency notes shall be issued to an amount equal to the value of gold so held by the Secre- tary of State for India at the rate fixed by section 12 of the Indian Coinage Act, 1870. (2) If the Secretary of State for India Gold, if transmitted shall transmit the gold to India, to form part held by him under of reserve. sub-section (1) or any part thereof in the form of gold coin or gold bullion to the Government of India, the coin or bullion so transmitted shall, when received by the Government of India, form part of the currency reserve under section 19.	Act VIII of 1900, sec- tion 2.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.

Acts of the Governor General in Council—continued.

50	The Indian Paper Currency Act, 1882 (XX of 1882) —contd.		<p>(3) If the Secretary of State for India shall think it expedient to expend the gold coin or bullion held by him under sub-section (1) or any other funds at his disposal in the purchase of silver bullion and to transmit the same to India for currency purposes, then—</p> <p>(a) the silver bullion so purchased shall, until rupees are added to the currency reserve under clause (b) of this sub-section, be held as security for currency notes; and</p> <p>(b) the Government of India shall, on receiving such silver bullion, give directions for coining the same into rupees as soon as convenient, and shall add to the currency reserve a number of the rupees so coined equal in value, at the rate fixed by section 12 of the Indian Coinage Act, 1870, to the price of the silver bullion so purchased and transmitted as aforesaid.</p> <p>(4) (a) Nothing in this Act shall be deemed to prohibit the Government of India from expending any gold coin or gold bullion held as part of the currency reserve under section 19 in the purchase of silver bullion.</p> <p>(b) The silver bullion so purchased shall, until rupees are added to the currency reserve under clause (c) of this sub-section, take the place of the gold so expended as security for the currency notes issued.</p> <p>(c) On receiving such silver bullion, the Government of India shall give directions for coining the same into rupees as soon as convenient, and shall add to the currency reserve under section 19 a number of the rupees so coined equal in value, at the rate fixed by section 12 of the Indian Coinage Act, 1870, to the gold so expended by the Government of India.</p>	
----	---	--	---	--

Repeals and Amendments of the General Act, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.

Acts of the Governor General in Council—continued.

51	The Indian Paper Currency Act, 1882 (XX of 1882)—concl'd.		<p>(5) If the Government of India shall appropriate and set apart in India as a part of the currency reserve under section 19 an amount of coin of the Government of India equal in value to any notes issued under this section, the gold held by the Secretary of State for India as a reserve to secure the payment of such notes shall be dealt with as the Secretary of State shall direct.</p> <p>(6) Coin or bullion held by the Secretary of State or in transit to India, or in the custody of the Mint Master during coinage, shall be separately shown in the abstract of accounts made up under section 27."</p>	
52	The Indian Paper Currency Act, 1898 (II of 1898).	The whole.	.....	Act VIII of 1900, section 3.
	The Indian Paper Currency Act Amendment Act, 1898 (VIII of 1898).	Ditto.	.....	Ditto
53	The Court-fees Act, 1870 (VII of 1870).	.....	<p>To the first column of No. 13 of the First Schedule to the Court-fees Act, 1870, as inserted therein by section 71 of the Punjab Courts Act, 1884, as amended by the Punjab Courts Act, 1899, the following words are added, namely:—</p> <p>"or to the Court of the Financial Commissioner of the Punjab for the exercise of its revisional jurisdiction under section 84 of the Punjab Tenancy Act, 1887."</p>	Act IX of 1900, section 1.

Repeals and Amendments of the General Acts, 1900—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.

Acts of the Governor General in Council—concluded.

54	The Indian Limitation Act, 1877 (XV of 1877).	.....	Schedule ii.—After No. 146 of this schedule the following is inserted, namely.— 146A. By or on behalf of any local authority for possession of any public street or road or any part thereof from which it has been dispossessed or of which it has discontinued the possession.	Thirty years The date of dispossession or discontinuance.	Act X of 1900, section 2.
55	The Bankers Books Evidence Act, 1891, (XVIII of 1891).	.....	Section 2, sub-section (1).—For the definition of "Company" the following is substituted, namely :— " (1) 'company' means a company registered under any of the enactments relating to companies for the time being in force in the United Kingdom or any of the Colonies or Dependencies thereof or in British India or incorporated by an Act of Parliament or of the Governor General in Council, or by Royal Charter or Letters Patent; "		Act XII of 1900, section 2.
56	The Punjab Tenancy Act, 1887 (XVI of 1887).	.....	Section 77, sub-section (3), clause (c).—The following words are added to this clause, namely— " and suits relating to the rent to be paid under a mortgage made in accordance with form (c) as prescribed by section 6 of the Punjab Alienation of Land Act, 1900."		Act XIII of 1900, section 22.